APP F. III—1] 1930-31.

GENERAL AND REVENUE SECRETARIAT.

(Pol.)

NOTES.

File No. 207-30

FILE HEADING.

Re-organization of the Police Dept.

FROM

No.	Dated	Received
y No.	Enclos. Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER

NOTES AND ORDERS.

NOTES—First Sheet

WD 02552—GPB—5,000—10-7-30

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(21)

App. F. III—2]

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Serial No.

C

1. In Connection with the Police Regns abt which Govt were pass recently, some other points regrng Cantt & I suppose they are being considered

RJ
19/8/31

2. Submitted

3. The D.G.P proposed his letter of 17th May 1931 the reduction in the number of Inspectors, by placing one Inspector in charge of two talukas, & 2 Inspectors in charge of three talukas in other cases, & reserve of the pay of Inspectors and Sub Inspectors.

4. He has proposed the appointment of a Deputy Inspector General of Police for relieving him of much of routine work.

As regards the reduction in the number of Inspectors &c, it has been decided that the D.I. Commissioners should be consulted

H

5. As regards the appointment of a Dy Inspr General of Police, the proposal has been considered to be inopportune just at present.

6. Draft to the D.G.P. for reasons, as regards the reduction of the Number of Inspectors he is to submit for approval or otherwise, if any, in connection with the final note of

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W.D. 02553—G.P.C.—50,000—8-35

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21. 8. 31.

3)

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Chief Secretary)

Member)

24 " 1931

OFFICE OF THE FIRST MEMBER OF COUNCIL
25 AUG. 1931
No. 2094

OFFICE OF THE FIRST MEMBER OF COUNCIL
25 AUG. 1931
No. 2094

TYPING SECTION
28. AUG. 1931
GENL & I

To The Dy Supdt Nos: P7331

States that the proposal if effected will result in the Amildars ceasing to be the Head of the Police in the taluks & the Dy Comrs having no departmental control over the Police requests that these proposals may be further examined after consulting the Dy Comrs of D & a report submitted with their opinions.

9. Submitted with a draft reminder to the D & P.

10.

P 3947 of 15-1-32

11. Submitted.

12. It is ascertained from the Rev: Branch informally that there is a meeting of the Dy Comrs of D & and certain

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	Heads of Departments on the 25th instant.
	13. If approved the proposal of the D.G. of Police in his letter under reference to examine the possible reduction of posts in the Executive Branch of the Police Department, as a result of the reduction in the number of Inspectors by the distribution of their charges, may be taken as a Memorandum for consideration at the meeting of the 25th instant.
	20/1/30 14. This has not been included in the agenda.
26	From the D.G. of Police Letter No. C.C. 1931-A dated 27-2-1930. Proposes certain modifications as regards the powers of Amildars and Dy. Comrs. as officers of the Police dept. and submits a scheme for the re-organization of the Police Dept.
	15. Powers of Amildars.
	Powers of Amildars — 15. Amildars and Dy. Amildars have general powers of control over the Police and are responsible for the maintenance of peace and prevention and detection of crime. (Vide Sec. 15 of the Police Regulation and para 60 of the Police Manual). He is required to investigate personally all cases of importance, such as murder, dacoity and other cases affecting the maintenance of peace. The D.G. of Police

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states that few Amildars are competent to investigate or supervise the investigation of crimes and that transmission of crime reports to the D.S.P. through him causes delay in their transit and is often the cause of leakage of the contents of confidential reports. He states that the ~~suspension~~ supervision exercised by the Amildar over the work of the Police Dept. is of little value, owing to his multifarious duties. ~~Collection~~ It is well-known that the collection of Land Revenue and the Excise Revenue, disposal of durakhasts and other work relating to the Rev. Dept. and the administration of the Taluk Treasury will engross the Amildar's time and attention ~~so completely as to leave him very little time for any other work~~, and he is also responsible for the efficient administration of the Municipality of which he is the President. Municipal work takes up an appreciable portion of his ~~time~~, as ~~he~~ there are very few Municipalities in which there are Chief Officers or non-official Presidents. Further standing orders require that the Amildar should tour for at least 200 days in a year. Consequently the Amildar will not be able to supervise investigation of offences for about 16 or 17 days in a month. The Amildar will therefore be able to spare little or no time to supervise the work of

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the Police force of his Taluk. The I.G. of Police therefore proposes that the Police Inspectors may be permitted to submit all papers including Crime Reports to the D.S.P. directly and that the Amildar may however continue to exercise a general control over the work of the Police Dept. in his Taluk by inspection of Police Stations. If the Amildar is relieved of the routine work of the Police Dept. ~~in his Taluk~~ as proposed by the I.G. of Police, he will be able to devote all the time that he can spare for Police work in supervising the work done by the Police Inspectors whenever he inspects Police Stations. The D.S.P. will be able to supervise the work of Police Inspectors more effectively, as he can devote his undivided attention to the work of the Police Dept. In the Madras Presidency Tahsildars are not invested with any powers of control over the Police. (Vide the Madras ~~Act~~ Police Act, 1859 and paras 1 to 3 of the Orders of the Madras Police, Vol. I). The efficiency of the Police has not in any suffered there on this account. If the proposals of the I.G. of Police ~~are~~ in regard to this matter are sanctioned, Sec. 15, ~~of~~ cl. (2) of the Police Regulation and paras 60 and 61 of the Police Manual will have to be suitably amended.

16. The I.G. of Police however proposes

* The books are available in the Library and will be put up if required.

NOTE—Contn. Sheet.

7)

that the Amildar should pass the pay and T.A. bills of the Police in his Taluk. It is not clear why the Amildar should continue to be responsible for the disbursement of the pay of the Police even after he is relieved of all the other work relating to the Police Dept. except general supervision of the Police Inspector's work during inspections. This work may be attended to by the Police Inspector, if approved. In the Registration Dept. Sub-Registrars, whose status is similar to that of Police Inspectors, draw the pay and T.A. of the officials of their offices.

Powers of Superintendents of Police and Deputy Commissioners.

17. The Dy. Comr. is now the head of the Revenue and Excise Depts. in each District. He is responsible for the administration of Taluk and District Treasuries and is also the Chief Magistrate of the district. It is a point for consideration whether ~~making him the~~ the existing arrangement which makes him the head of the Police Dept. also in each dt. is not a survival of old-fashioned arrangement, which is not in force in any part of British India, where the Police dept. is a self-contained independent dept. with a separate set of officers. In good old days combination of numerous functions in a single officer was quite common in Mysore State. For example, the

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Zamindars, who administered the ~~Land~~ State before the days of the British Commission, fulfilled the functions of the Revenue Commissioner, Deputy Commissioners, District and Sessions ~~&~~ Judge and Military Commander in their respective Divisions. But this system has been superseded by the present system of having a separate dept. and a separate set of officers for the different functions of Govt. We have consequently Revenue, Judicial, Excise, Forest and other special departments with special functions of their own. Such a system ensures efficient administration. Consequently it is a point for consideration whether ~~[illegible]~~ the D.G. of Police should not have subordinate gazetted officers who can devote their whole time to the work of the Police dept. if the work of the Police dept. is to be done efficiently ~~[illegible]~~ owing to their multifarious duties. Deputy Commissioners do not seem to be in a position to spare much time for Police work. In British India Collectors are not invested with any control over the Police force. But as District magistrates they are responsible for the maintenance of law and order in their Districts. To enable them to perform this function the Police force of the District is placed at their disposal to enable them to perform this function. (Vide para 95 of the Orders of the Madras Police). ~~[illegible]~~

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~~and the responsibility of the District Magistrate for the maintenance of law and~~

But in Mysore State the supdt. of Police is merely the Deputy Commissioner's Assistant for Police work. He is not the head of the Police force in each Dt. as in British India. The D.S.P. has also no control over the Amildar, who is the immediate official superior of the Inspector. The I.G. of Police states that to improve the efficiency of the Police force, the Amildar, who is an official of the Revenue dept. and who has no time to attend to Police work, should have nothing to do with the control and discipline of the Police force and that the D.S.P. should be the head of the Police force in each district and be responsible for the supervision of the Police force. As regards the Dy. Commissioner's powers as a Police officer, the I.G. of Police says that the Dy. Comrs. as such should not have anything to do with the Police force. But the I.G. of Police states, however, that the responsibility of the District Magistrate for the maintenance of law and order should remain unimpaired and that he should have the Police force in his District under his control and direction for this purpose. The D.S.P. will be responsible only for its discipline and efficiency. In making these proposals, the I.G. of Police

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is only trying to introduce the system in force in British India. These proposals are sanctioned, the Police Regulation and the Police manual will have to be suitably amended.

Deputy Inspectors General of Police

18. As the D.S.P.'s are officers of the status of Asst. Commissioners, and as the investigation of offences has to be effectively supervised frequently if the Police force of the State is to be kept in an efficient condition, the I.G. of Police wants to have one or two officers of the status of Deputy Commissioners to be known as Deputy Inspectors General of Police to supervise the work of D.S.P.'s and subordinate Police officers. But he says that if the creation of the posts of Dy. I.G.'s of Police is considered inopportune at present owing to financial stringency, the question may lie over for the present.

Pay of D.S.P.'s and A.S.P.'s.

19. The I.G. of Police proposes revised scales of pay for D.S.P.'s and A.S.P.'s. He proposes that the pay of D.S.P.'s may be fixed at Rs 450-25-800. In the Madras Presidency Collectors belonging to the Indian Civil Service are given a pay of Rs 2500 per mensem and Rs 3500 per mensem in the case of

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11)

officers who have put in a service of 20 years and above. But D.S.P.'s of Madras, who are usually members of the Indian Police Service, get a pay of Rs 1450 per mensem. (This fact may be verified by a reference to the Madras Civil List). The proportion prevailing between the pay of a Collector and that of a D.S.P. prevailing in the Madras Presidency is being maintained in Mysore State now, since Dy. Comrs. in Mysore state get a pay varying from Rs. 800 to Rs 1200 per mensem while D.S.P.'s in the state get a pay of Rs 250 rising by annual increments of Rs 25 to Rs 450 per mensem if they are Asst. Comrs. and Rs 600 if they are senior Asst. Comrs. The area under the jurisdiction of a D.S.P. in Mysore state is half of that of a D.S.P.'s charge in the Madras Presy. It is a point for consideration therefore whether the number of D.S.P.'s in the State is not capable of reduction by 50 per cent without impairing the efficiency of the Dept., if the D.S.P. is assisted by one or two A.S.P.'s as in the Madras Presidency. If this is done, it would be possible to increase the pay of D.S.P.'s and A.S.P.'s without incurring any additional expenditure. This aspect of the question requires careful consideration as the I.G. of Police states that the pay of D.S.P.'s and A.S.P.'s is too low for an officer in charge of a whole District, especially

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In the present condition of the State's finances it may not possible either to increase the pay of D.S.P.'s and A.S.P.'s or to increase the number of A.S.P.'s as suggested by the I.G. of Police unless the number of D.S.P.'s posts is reduced to four. If this course does not commend itself to Govt., it is a point for consideration whether the question of stopping the temporary cut of 10 per cent in the pay of officers of all depts. recently ordered by Govt. is to be taken up for consideration.

Recruitment for D.S.P.'s posts.

20. The I.G. of Police states that the present system of posting officers belonging to the ~~Gen~~ Civil Service to the Police dept. as gazetted officers for a few years makes it impossible to carry on the administration of the Police Dept. efficiently and that if inefficiency is to be avoided the ~~gazetted~~ D.S.P.'s should be recruited by promotion from lower ranks. It is a point for consideration whether the efficiency of the Police dept. will not suffer to a much greater extent than at present if the D.S.P.'s belonging to the Civil Service (i.e. Asst. Comrs.) are ~~withdrawn from the Police Dept~~ replaced entirely by men promoted from the ranks as suggested

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by the I.G. of Police. Asst. Comrs. belonging to the Civil service, who are D.S.P.'s, expect to become Heads of Depts. or even Members of Council, they will therefore have a higher out-look than D.S.P.'s promoted from the ranks, who expect to retire at the most on the maximum pay of an Asst. Comr., i.e., Rs 450. It is therefore a point for consideration whether the proposals of the I.G. of Police in regard to recruitment of D.S.P.'s is sound. In the Madras Presidency D.S.P.'s are not officers belonging to the Indian Civil Service.* They belong to the Indian Police Service and special arrangements are made there to recruit gazetted officers for the Police Dept. In a small state like Mysore it will not be possible to make separate arrangements for recruiting gazetted officers of the Police dept. But with a view to secure men trained in Police work, as desired by the I.G. of Police, Asst. Comrs. posted to the Police Dept. may be required, if approved, to serve in the Police dept. till they are promoted to the rank of Deputy Commissioners. They may be transferred from one district to another, but not to other departments. ~~They may be imported to Police dept.~~ If they go on leave, they may be re-posted to the Police dept. after their return from leave. Such a procedure would secure officers trained in Police work ~~as~~ for the Police dept. for

* A reference to the Rules relating to the Indian Civil Service and the Indian Police Service and the Madras Civil List will make this point clear.

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D.S.P.'s posts.

D.S.P.'s posts as described by the I.G. of Police without changing the present method of recruitment for A similar procedure is sometimes followed in the case of Asst. Comrs. posted to the Comptroller's office.

Asst. Superintendents of Polices

21. The I.G. of Police proposes to increase the number of A.S.P.'s by three and he proposes to post them to Shimoga, Tumkur and Kolar districts. Unless investigation of offences is effectively supervised frequently by Superior Police officers like A.S.P.'s and D.S.P.'s the work of the Police dept. is not likely to be carried on efficiently. It is therefore a point for consideration whether the number of A.S.P.'s posts should not be increased as proposed by the I.G. of Police.

Inspectors and Sub-Inspectors

22. The I.G. of Police wants to fix the following scales of pay for Inspectors and Sub-Inspectors:—

Inspectors.	Sub-Inspectors.
I grade — Rs 150	I grade — Rs 80,
II — — Rs 125	II — — Rs 70,
III — — Rs 100	III — — Rs 60,
	IV — — Rs 50.

But he does not state what the number of posts in each grade should be. The existing scales of pay

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of Inspectors and Sub-Inspectors are :—

Inspectors	Sub-Inspectors
5 on Rs 150,	54 on Rs 65,
7 on Rs 125,	99 on Rs 55,
14 on Rs 105,	10 ~~on~~ Probationary Sub-Inspectors on Rs 31.
23 on Rs 95,	
25 on Rs 85,	
6 on Rs 75	
4 Probationary Inspectors on Rs 46-10-56 and	
3 on Rs 50.	

the I.G. of Police states that he is prepared to reduce ~~the~~ the strengths of the Police if the scale of pay of Inspectors and Sub-Inspectors is increased as suggested by him. It is a point for consideration whether such an incomplete and indefinite proposal can be considered by Govt. The I.G. of Police may, if approved, be requested to submit definite proposals in the matter.

23. As regards recruitment, the I.G. of Police wants to limit the number of Inspectors' posts to be filled up by direct recruitment to ⅓ of the number of vacancies occurring in the grade. In the case of Sub-Inspectors, ~~posts~~ he wants to fix the Intermediate examination as the minimum qualification required, instead of the S.S.L.C. examination as at present, since graduates are applying even for Taffedars posts. He

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wants also to reserve ¼ of the number of vacancies occuring in the grade of Sub-Inspectors for being filled up by direct recruitment, the remaining vacancies being filled up by promoting Jamedars to that grade as at present.

Jamedars and Daffedars.

24. The D. G. of Police proposes to fix the following scale of pay for Jamedars:—

In the general line.	In the Provincial Reserve force.
I class — Rs 35	I class — Rs 30
II — — Rs 32	II — — Rs 27
	III — — Rs 25

There are now 19 Jamedars on Rs 40.

The D. G. of Police wants to fix the following scale of pay for Daffedars:—

I class — Rs 23

II — — Rs 21

The present scale of pay of Daffedars is:— 139 on Rs 24 and 210 on Rs 21. The D. G. of Police has not fixed the number of Jamedars and Daffedars under the revised scale suggested by him. It is doubtful whether it would be possible for Govt. to consider the incomplete and indefinite proposals made by the D. G. of Police in regard to this question. He may be requested to submit definite proposals in the matter, if approved

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VI.)

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25. The I. G. of Police proposes to retain the S. S. L. C. examination as the minimum educational qualification for Jamedar's and Daffedar's posts and to recruit 50 per cent of the vacancies in the case of Daffedar's posts by direct recruitment. But he states that this qualification need not be insisted on in the case of Subedars of the Provincial Reserve Force.

Constables.

26. The I. G. of Police states that he has already proposed in a separate reference to raise the minimum pay of constables to Rs 18 per mensem.

The Police Training School.

27. The pay of the Principal of this school is fixed at Rs 200-10-250 + D. A. Rs 30.* The I. G. of Police proposes that a Superintendent may be posted as Principal of the School. He proposes to avoid the extra expenditure involved by the proposal by abolishing the post of D. S. P., French Rocks, and reducing it to an A. S. P.'s charge. It is a point for consideration whether there is any necessity to post a D. S. P. as Principal of the school. The post of D. S. P., French Rocks, may however be abolished

* Please see the Budget Estimates of Police Dept for the current year to verify this.

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and an A.S.P. appointed in his place as proposed by the D.G. of Police, since the savings ~~which~~ resulting by the abolition of this D.S.P.'s post will make it possible for Govt. to increase the pay of D.S.P.'s and A.S.P.'s as proposed by the D.G. of Police without incurring extra expenditure. The D.G. of Police wants to increase the staff of the School by an Inspector. But he does not state what pay he proposes to give him. He also proposes to give an allowance of Rs 7 each to the two Drill Instructors of the School who do not get any allowance now.

26. Summary. The D.G. of Police estimates the cost of the re-organization scheme submitted by him at six lakhs of rupees per annum in addition to the amount now provided for in the Budget for the Police Dept. It is a point for consideration whether Govt. can spare additional funds to this extent for the Police Dept. in the present state of its finances. It may perhaps be possible to increase the pay of D.S.P.'s and A.S.P.'s and to increase the number of A.S.P.'s by three as proposed by the D.G. of Police, if the number of D.S.P.'s is reduced by four

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Reorganisation of the Police Dept.

as suggested in para 19 of the notes. And it may also be possible to revise the powers of Amildars and Dy. Commissioners so as to make the Police organization of the Police Dept. in Mysore State similar to that of the Madras Presy. It is a point for consideration whether ~~it~~ anything more is possible till the finances of the State improve. As the proposals involve an additional expenditure of lakhs of rupees the Financial Secretariat has to be consulted. Submitted for orders. The recommendations are summed up at pages 37 & 38 of the P.R.

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29) With reference to the suggestion of the I.G. of Police about the reduction in the number of Inspectors by redistributing their charges and by modifications in the police functions of the Amildar and the Deputy Commissioner, the I.G. of Police was asked to further examine the matter in consultation with the Deputy Commissioners. After receiving the opinion of the D.Cs., the I.G.P. has sent up his proposals on these points and also for a reorganisation of the Police Department in general. Except the Deputy Commissioners of Shimoga and Chitaldrug, all the others have sent their opinions and they are annexed to the I.G.P's proposals.

30) The opinions of the Deputy Commissioners summarised are as follows:--

(i) The Deputy Commissioners of Tumkur and Kadur agree with the I.G.P. that the control of the Amildar over the Taluk Police may be removed. The Deputy Commissioner, Hassan, objects to the removal of the Amildar's powers and considers that it if is removed, it should be replaced by that of A.S.P's ~~of the~~ Gazetted rank and on higher pay. The Deputy Commissioner of Mysore thinks that the Amildar's control may be confined to the scrutiny of the Inspector's general diary and the inspection of stations, and that the headship of the Amildar over the taluk police should be recognised. The Deputy Commissioner, Bangalore, in a supplementary note, considers that the Amildar should continue as head of taluk police, but proposes some arrangements for quicker disposal of business. He wants to retain for the Amildar, financial and account matters and

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responsibility for the efficient work of the taluk police, and that the station general diaries should be submitted through the Amildar and that other correspondence by the Inspector may be sent directly to the D.S.P.

The Deputy Commissioner, Kolar, opposes all change.

(ii) As regards the powers of the Deputy Commissioner, the Deputy Commissioner, Tumkur, has no objection to matters of departmental import passing out of his hands. The others are opposed to any change and consider that the D.C. he should continue as the head of the district police. Four of them consider that the D.C. should at least have some control over punishments especially in matters of appeal and revision.

1. PRESENT POSITION OF THE AMILDAR:

He is an ex-officio police officer and is held responsible for the prevention and detection of crime and the maintenance of order within his charge. He is given general control and direction over the police of his taluk. All correspondence and papers passing from the Inspector to the D.S.P are sent through him.

Modifications suggested by the I.G.P: *In order to meet the requirements of a majority of D.Cs., the I.G.P. suggests that the station general diaries may pass through the Amildar and that the Inspector's general diaries may be sent directly to the D.S.P. The Amildar will continue to deal with financial matters such as pay and travelling allowance bills until such time as that part of the police work is altered.*

It seems to be necessary to continue in Mysore the Amildar's power as head of the taluk police and control them as whatever it may be in the British Provinces.

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"An Amildar's first concern is the well-being of the raiyat. Not infrequently is he called upon to play the role of an influential advisor. The Inspector's concerns in the taluk are infinitely more limited in their scope. He has his cases and his investigations and a percentage of convictions to obtain preferment in the eyes of his superior officers. Honest though he may start, the narrow groove of thought and action as compared to an Amildar's to which he is committed by the nature of his work must, in course of time tell upon his very habits and that may lead him unconsciously to incorrect thinking and acting. An Amildar's knowledge especially of the various classes and communities of his taluk and their varying temperaments are more extended than an Inspector's and he has a mind trained to higher thinking and is better able than a mere police officer to detect weak points in the policeman's theories of crime and the artificial links in the chain of evidence relied upon to support a given theory. With many honourable traditions attached to his office and with his acknowledged position in the taluk, the police interests of the State are best confided to his efficient and sympathetic hands, if these interests are to continue to be identical with the welfare and happy content of the good and loyal citizen.

(Mr.K.S. Doraswami Iyer's Note of 1904)
Welcome to Kolar D.C's job

The British Indian Police may be more efficient from the police point of view. That is not all that is required. Our police is known to be more honest and conscientious and less oppressive to the people. And this probably is largely due to the supervision by the Amildar and the Deputy Commissioner who are more alive to the well-being of the raiyats rather than taking purely the departmental view.

32 2. POWERS OF THE DEPUTY COMMISSIONER:

The I.G.P. states that it is not his intention to diminish the powers of control and direction over the police now being exercised by the Deputy Commissioner. All that he advocates is that his intervention in the internal management of the affairs, i.e., in matters relating to punishments, promotions, leave, etc., be diminished so that his responsibility in the matters

The Supt. ought to be made responsible for the efficiency of the Dt. Police

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mentioned above be increased. The I.G.P. has enclosed a table of punishments (Enclosure VIII) indicating the powers to be exercised by several officers. In this, the Deputy Commissioner's powers of punishment initially and on appeal are also mentioned. The I.G.P. proposes that the D.C's powers of intervention should cease in the event of the Deputy Inspector General being appointed.

Defining the position of the Deputy Commissioner and the D.S.P., the I.G.P. suggests the addition to the two following points to Rule 27 (A) of the Police Manual.

> "The D.S.P. is the head of the District Police Force. He is responsible for all matters relating to its internal economy and management, for the maintenance of its discipline and the punctual and regular performance of all its preventive and executive duties. He is responsible for the force under his control being properly trained and kept efficient and by constant supervision that the prevention, investigation and detection of crime in his district are properly and efficiently dealt with by the police force under his command."

The main objection to this is the defining of the D.S.P. as the head of the District Police Force since under Section 14, it is the D.C. that is the head of the District Police. The other portions seem to be all right. The I.G.P. concedes that the District Magistrate is primarily responsible for the maintenance of law and order and that the police force should be under his control and direction. It is necessary therefore that he should continue as the head of the District Police. All the Deputy Commissioners except that of Tumkur consider that the Deputy Commissioner's powers should remain unimpaired and the D.Cs. of Kolar, Hassan and Bangalore have given strong reasons in support. The Deputy Commissioner of Bangalore states as follows:--

> "Stripped of his police powers, the Deputy Commissioner would only be the head of the revenue

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and magisterial officers. Neither can he be really responsible for the maintenance of law and order, As a general proposition, if the responsibility of the officer who is now the D.C. and D.M. has to be maintained, there can be no question of changing the present arrangement."

In regard to punishments, no fresh definition seems to be necessary. As stated by the Deputy Commissioner of Bangalore, powers of punishment in respect of Sub Inspectors are vested in the D.C., and the D.S.P. by Section 26(3) of the Police Regulation, though Rule 133 in the Manual seems to indicate that it is in the authority appointing them, viz., the I.G.P. Rule 133 is only a general rule and should not be read as limiting the powers of the D.C., and the D.S.P., under the Regulation. If there is any doubt, Rule 133 may be so modified as to remove the apparent conflict. The D.S.P. can under Section 26(3) exercise powers of punishment in respect of Sub Inspectors.

33 D.I.G. of Police

3. The I.G. of Police proposes the appointment of two D.I.G s.of Police. They are to be administrative officers and their chief functions are to coordinate ~~(a) carrying~~ the work of the districts in their charges, ~~(b)~~ and securing uniformity of practice as well as co-operation between the police of all the different districts. They would relieve the Deputy Commissioners of their powers of punishing the police officers and their appellate powers. They would also relieve the I.G. of Police of much of his inspection and routine work. The I.G. of Police considers that this proposal might lie over if considered premature.

Most of the D.C's object to the proposal. If the D.C. is to remain as head of the police, there

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is no need for ~~those two~~ the appointments of D.I.G. in a small State like Mysore. Even in Madras, there seem to be only two D.I.G's. Instead of one or two D.I.G's, the I.G.P. has now practically 8 D.I.G's, viz., Deputy Commissioners who perform the same functions as would be assigned to the D.I.G s.

As regards the difficulty felt by the I.G.P. in the matter of inspections, the work may be distributed between him and the Deputy Commissioners. In respect of transfers etc., of the higher officers, viz., Inspectors and Sub Inspectors, a gradation list may be prepared and the I.G.P. may effect transfers in consultation with the D.C s. The D.C. has better opportunities of coming into contact with the work of the local police and will act as a check on the aberrations of the D.S.P. and his personal whims. Local control is better informed and more effective than a distant check by reports and returns. a D.I.G of four districts on

34 4. ASSISTANT SUPERINTENDENTS OF POLICE:

The I.G.P. proposes the revival of the three posts of the A.S.Ps which were recently abolished, and that they may be posted to the Districts of Kolar, Tumkur and Shimoga. It is stated that this is necessary for a better supervision over the District Police.

If the supervision of the Amildar is removed, there will arise this necessity for increasing the cadre of gazetted officers of this rank to exercise the necessary supervision. Reg will be required in all the Ds.

35 5. DISTRICT SUPERINTENDENTS OF POLICE:

The I.G.P's idea is that for efficient work

General and Revenue Secretariat | File No. of 193 .

Serial No.

the Department should be organised as a separate and exclusive State Department, its officers being regarded and paid as belonging to such a department and not merely as the subordinates of the local authorities. With this end in view, he proposes

(a) direct recruitment to the Police Gazetted rank

(b) increase of their salaries, and

(c) the elimination of officers of the Civil Service as Police Officers.

The pay proposed for A.S.Ps is Rs. 200 to 350.
" " " " D.S.Ps is Rs. 450 to 800
" " " " D.I.Gs Rs. 1,000.

As regards recruitment to gazetted ranks, he suggests the proportion of direct recruitment to promotions from the Inspectorate as 2 to 1.

It is for consideration if an exclusive department like this on the Madras model is necessary for a small State like ours. The wider outlook of civilian officers with their higher ambitions and better prospects will have, if at all, a better effect on the police department than the narrow groove in which the purely departmental officer runs with his crimes, investigations and statistics & convictions.

36. *6. (a) INSPECTORS:*

As regards their pay, though the I.G. of Police would desire it to go up to Rs. 200. he does not propose it now in view of financial considerations and suggests for immediate acceptance an increase in the lower grades. The grades proposed by him are Rs. 100, 125 and 150.

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-51

(b) Sub Inspectors:

The grades proposed are Rs. 50, 60, 70 and 80. As regards recruitment to Inspectorate, the I.G.P prefers promotions and for the present would limit direct recruitment to one-third of the vacancies.

As regards the Sub Inspectors, he suggests that the minimum educational qualification should be ~~xxx~~ raised to at least the Intermediate standard.

Promotions to Sub Inspectors from amongst Jemadars may be made to one-fourth of the vacancies as at present.

37

7. JEMADARS AND DUFFEDARS:

The I.G.P. proposes that these two may be merged into one since the grade of the Jemadar is an anachronism. He will retain the name of Jemadar to signify senior duffedars and such of them as are qualified for promotion to the Sub Inspectorate. He proposes the grades of Rs. 21,23, 25, 27, 30, 32 and 35 for duffedars, 2 senior grades being reserved for officers qualified for further promotions and who may be called Jemadars. He proposes similar scales for Naiks and Subedars ~~and~~ & Provincial Reserve. He also proposes the continuance of the present rules of recruitment to duffedari, viz., 50 per cent by direct recruitment, minimum qualification being the S.S.L.C.

The I.G.P. states that for effecting these improvements in the scales of pay of the duffedars, Sub Inspectors and Inspectors, he will effect reduction in numbers so that the question of finance may not interpose as barring the proposals.

38 8. CONSTABLES: The I.G. of Police considers that on account of the low and unattractive pay, the recruits

Serial No.

offering for service are generally the individuals the village rejects & those who may be termed as undesirables. He has already proposed that the minimum pay of constables should be raised to Rs. 14. His further proposal now is that the minimum pay should be raised to Rs. 15 and that this can be done by sacrificing numbers. The loss in quantity will be counterbalanced by the gain in quality as it is hoped that literate recruits of better standard will be forthcoming on higher pay. His idea is that the pay should be ultimately raised to Rs. 18. Allowances now being drawn by some of the constables may be absorbed as the pay increases towards the limit of Rs 18.

There would be a limit to reduction in numbers. The standard is stated to be one police officer to every 1000 of the population in rural areas and one to 500 in cities. The I.G.P. says that this should be maintained. It is stated that annually an increase of 5 per cent of the budget will have to be provided for the gradual increase in population. This would mean an annual increase of one lakh of rupees in the Police budget.

29

9. To find funds for the reconstruction of the Inspectorate, etc., the I.G.P. makes the following suggestions:—

(a) Conversion of the majority of Prosecuting Inspectors into Sub Inspectors will be pursued.

(b) In the matter of extending the jurisdiction of Inspectors, a cautious and ~~experimental~~ policy may be adopted for the greater part, taluk as their ~~being the~~ unit, and in a few cases, two taluks being placed under one Inspector.

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

29 · 29

File No. of 193 . | General and Revenue Secretariat

(c) Elimination of superfluous investigation centres and of Sub Inspectors now in charge of Stores in District Police Offices and their replacement by clerks.

(d) Slight reduction in the number of Jemadars and duffedars.

(e) Reduction in the number of constables, some of whom will automatically disappear with the reduction in the number of Inspectors, and investigation centres.

40 10. GENERAL:

(a) The I.G. of Police proposes that promotions should be ~~only~~ confined to only such of the officers who possess merit and character.

(b) Men incompetent and lacking in character and who are approaching the age of superannuation should be retired prematurely.

41 11. POLICE TRAINING SCHOOL:

For good and intensive training, an efficient staff is necessary. The I.G. of Police suggests that a D.S.P. should be posted as Principal. To meet this he would reduce the French Rocks District to an A.S.P's Division.

42 12. ESTIMATED COST OF THESE PROPOSALS:

(i) ~~(a)~~ Immediate cost in the next year:

~~(i)~~ For the increased salary proposed to the Gazetted officers Rs.62,500
(This will gradually increase in coming years to a lakh of rupees)

(ii) Rough estimate of the cost of buildings required will be Rs. 66 lakhs.
(This is spread over 20 years. Annual cost will be Rs.3 lakhs)

(iii) House rent or free quarters should be granted to all officers of and below the rank of Inspectors.
This would mean an expenditure of ·2 lakhs a year, the cost in respect of duffedars and constables alone would come to a lakh annually.

Thus an addition of Rs.6 lakhs annually in the Police Budget is called for. Besides this, according to the I.G.

3982/31 P 30 30

[App. F. III—2

General and Revenue Secretariat | File No. | of 193

Serial No.

of Police. there will be a progressive increase of over a lakh of rupees per year at 5 per cent of the Police Budget

Chief Secretary)

4) Pending consideration of the various questions raised in this letter, the I.G.P wishes to know whether Govt are in general agreement with his views and would be prepared to consider detailed proposals, regarding

1) the grading of Inspectors and Sub Inspectors — para 11 of I.G.P's letter dated 27th February 1932

2) the amalgamation and revision of pay of the grades of Jamadars and Daffedars (para 12 of the same letter)

3) the increase of the basic pay of Constables to Rs 15 p.m. (para 13 of the letter)

The I.G.P may be told that Govt will be glad to have detailed proposals on these questions, if (as he hopes) the extra cost involved is not appreciable. The other points also may be informally discussed with the I.G.P when he comes for the C.R.B meeting on the 31st inst. After the meeting is concluded.

Second Member)

26/3/32

26/3/32

OFFICE OF THE SECOND MEMBER OF COUNCIL
28 MAR 1932
No. 8067

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

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Serial No.

45 These proposals were discussed by the Second Member with the Inspector General of Police on the 31st March 1932 and it was tentatively settled that they might be dealt with on the following lines:-

Amildar's powers.

The Amildar may continue to deal with financial matters eg., pay and T.A. bills. The station diaries will be submitted to him but all other papers (including the Inspector's general diary) will go direct to the District Superintendent of Police. Although his obligatory duties are thus circumscribed, the Amildar will not be prevented from intervening in any important police matters by virtue of the general powers of control vested in him under Section 15 (2) of the Regulation. The powers of the Deputy Amildars will be submitted to him through the Inspector of the Taluk to which the Sub Taluk is attached.

Secular. The Shahu Press

46 Deputy Commissioner's powers.

All disciplinary questions concerning Inspectors should invariably come before the Deputy Commissioner. He will have power to dismiss Sub Inspectors. All other questions of appointment and punishment will be dealt with initially by the District Superintendent of Police whose orders will be subject to appeal to, and may also be suo moto revised by, the Deputy Commissioner. Appendix VIII may generally be approved. But in the last two entries the appellate authority should be Deputy

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

3982 32 32
Reorganisation of the Police Deptt.

[App. F. III—2

General and Revenue Secretariat

File No. 287 of 1930.

Serial No.

Commissioner and not Inspector General of Police. Other slight changes are also necessary in the appendix so as to make it consistent with the Regulation.

47) A list of subjects in which correspondence between the District Superintendent of Police and Inspector General of Police should necessarily pass through the Deputy Commissioner may be prepared. It will be open t the Deputy Commissioner to direct that papers on any othe subject should be referred to him.

DEWAN'S OFFICE. 6554. 5 APR. 1932

Deputy Inspector General of Police.	The question of appointing one or more Deputy Inspectors-General of Polic may lie over.
Increase in the number of Assistant Superintendents of Police - Revised scale of pay for Gazetted Officers.	To lie over.
Inspectors & Sub Inspectors, Jamedars and Duffedars - Raising the pay of Constables.	The Inspector General of Police may be told that any detailed proposals which do not involve appreciable increase to the cost of the Department will receive due consideration.
Selection of Officers for Promotion solely on grounds of merit.	Government recognise the soundness of these principles and will be prepared to apply them when any specific proposals come before them.
Premature retirement of inefficient officers.	

OFFICE OF THE SECOND MEMBER OF COUNCIL 5 APR. 1932 No. 8318

Second Member) 4/4/32

48) Dewan) 5/4/32

49) 5-4-32

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

33 Reorganisation of the Police Dept

pd File No. 267 . of 1938.

General and Revenue Secretariat

50) A draft G.O may be put up on these lines. Also VIII may be revised so as to avoid the necessity of having to amend the Regn

Nec
7/4/32

51) Off GO subs for consideration

TN
8/4 pdk

52) The draft as revised may be typed
11 & put up.

Please verify entries at A & ground & & & subs I &
MSR
11/4/32

Typed Off

53) Typed Off subs

TN
18/4

Chief Secretary)

19 APR. 1932

54) N.S.
I have put up a fresh draft which may be verified

Nec
21/4/32

55) Verified

56) Subs for approval

Nec
22/4/32

Second Member)

OFFICE OF THE SECOND MEMBER OF COUNCIL
22 APR. 1932
No. 90.24

57) Issue
Nec 25/4/32

General and Revenue Secretariat

File No. 257 of 1930.

Serial No.

No. 6608

OFFICE OF THE SECOND MEMBER OF COUNCIL
28 APR. 1932
No. 9194

58) Subs for perusal
Members of Council,
I submit.
25/4/32.
25/4/32
27.4.32
27/4
27/4
28/4
28/4/32

59) Issue
For perusal before issue
Financial Secretary)
28/4/32
28/4/32

60) 30/4/32

61) Issue
30/4/32

F 4623/30-4-32

30 APR.
GENL. & REV. D

Final Com no. 2312 dy 7/5/32
Draft and fair submitted

Communicated
BRD 9/5

Issue
7/5

7/5

+ printed copy for file is placed below
13/5

PTO

NOTE—Contn. Sheet.

85

3762

File No. | of 193 . | General and Revenue Secretariat

62 To. The G.G.P.
- Revcom
- DCS/Dist
- Compt & Head Asstt.
- Compiler, Mysore Gazette

No. P 6346-57 dt 2-5-32
64.

Sanctions the recommendations in Pl. 26 with certain exceptions.

89

B & Sws.
18/5/32
49

Powers of Deputy Commissioner.

Appointments.

S.9 (2) Police Officers of the rank of Jamedar shall be appointed by the Deputy Commissioner.

S.14. Subject to general control of I.G.P. Deputy Commissioner is the head of Polic in the District and shall direct and - regulate all matters connected with - Police.

S. 15 (1) The District Superintendent of Police shall be under his general control in the discharge of his powers.

S. 16. May make necessary distribution of Police Force.

S. 18 (1) Subject to the approval of the I.G. may employ additional Police at request of persons showing necessity therefor.

S. 19 (1) He can employ additional Police near large works.

S. 20 He can give a final decision as to payment of costs of additional Police.

S. 21 (4) The assessment of Punitive tax shall be at his discretion.

S. 22 (2) Subject to previous sanction of Governmer obtained through I.G.P. the Deputy - Commissioner may determine the amount of compensation and recover.

S. 26 (3) The Deputy Commissioner shall have power to punish any Police Officer subordinate to him below the grade of Sub-Inspector He can suspend an Inspector temporarily

S. 28 (1) The Deputy Commissioner may ~~confirm~~ punish by confine ent for a period not exceeding 3 days any Police Officer ~~not~~ below the rank of Jamedar.

Rule 27 A Manual. He should inspect offices, head stations and sub-stations. He should call for and go through special diaries in -- important cases. He should carefully go through and scrutinise the diaries of the Superintendent and Assistant Superintendent especially the portions Re. crime.

He should record his opinion in confidential report ~~the opinion~~ of the Superior Police - Officers before submission to Government.

He should pay prompt attention to disposal of appeals in Police matters.

Rule 28. He can grant casual leave to Inspectorate.

He can further grant privilege or other leave to Police Sub Inspectors for a period not exceeding one month, acting appointments being made out of a list of qualified officials in the district previously approved by the I.G.P.

Rule 29. Deputy Commissioners should inform himself of the cases of crime in the - district.

Rule 142. He can suspend an Inspector for a grave fault sending immediate notice to I.G.

Rule 157. He may transfer Jamedars and Head constables within the district.

A M I L D A R.

S. 15 (2) Ex-officio Police Officers within their Revenue charges and have general -- powers of control over Police and be responsible for prevention and detection of crime, maintenance of order.

Rule 28. He can grant casual leave to Daffedars and Inspectors and constables.

Rule 60. He is responsible for the maintenance of peace, detection and investigation of -- crime.

He should carefully supervise the operations of the Taluk Police.

He should receive Inspector's diaries and pass them to the A.S.P.

Rule 61. He should not ordinarily undertake investigation work. He is nevertheless responsible for the general control and direction of investigation. He should, in serious cases proceed at once to the scene of occurrence and with the aid of Police concert measures for the detection of the crime. He should also take up the investigation himself in an emergency when immediate action to that end is necessary and no competent investigation officer is available.

General and Revenue Secretariat | P.O. File No. 207 of 1930.

Serial No. 36

61)

From

The Inspector General of Police, Letter no C.C 19/31-32 dated 20th May 1932 requesting that the rules regarding punishment of Sub-ordinate officers may be communicated to them duly approved.

Flag G

34) The Rules framed & forwarded by the Inspector General of Police (Enclosure no VIII) are in keeping with the rules contained in the Police Manual & with the Police Regulations generally except for the following additional clauses made therein:—

Rule no 1(a); 5; 6; 7 (ii), (iii), (IV) (VI); 8 (i), (ii) note 10; 11; 12;. in appeal rules, rule no 1; 5;

Rule 1(a) refers to the exemption in the case of P. Reserve Police from giving an opportunity to explain Conduct in small & minor offences ~~for~~ for which such punishments as extra drill extra guard duty, extra fatigue or warning is imposed. No 2 ~~is out of place~~ in the rules proposed ~~and~~ is already provided for in rule 146 of the Manual. Rule no 5 & 6 are new one which may be allowed to stand. Rule 7(ii) is contrary to the provision under rule 142 of the Manual by which the Deputy Commissioner is the only Competent authority to suspend an Inspector as such the clause ~~is to be omitted~~ (Cf § 26(3) Police Reg.). Rule 7 iv & vi may be allowed as amendments to the manual as also the note i & ii under 8. And the rule 10, 11 & 12. may also be incorporated in the rules contained in the manual.

Five manual Regulations are put up for kind perusal. Flag K & H

Rule III (ii) differs slightly from Rule 141 of the Manual in its punishments

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

40

5672

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In the rules proposed for appeals, the rule 1 seems contrary to the Section 27 of the Police Regulation in which it is provided that "in the case of all officers above the rank of constables, a further appeal shall lie to Government" And the rule 5 & 6 may also be added as note to the Section rule 147 of the Manual. The rules 7 & 8 are not necessary in the light of the rule 116 of Manual.

As almost all the rule proposed, are to be found in extenso in the Manual, only the new clauses proposed need be incorporated in the manual & a separate list of rules apart from the Manual may not be necessary. If approved the new clauses may be issued as commendments to the rules ~~to be found~~ contained in manual ~~mentioned~~.

Submitted for kind orders.

25/5/32 14/5/32

Kind reference is invited to para 50. The Hy. P may perhaps be requested to revise the rules so as not to contravene the provisions of the Regn.

65) Along with the list of punishments, officers empowered to inflict the punishments & appellate authorities, the H.Q.P

Serial No.

had appended some rules. only the list of punishment etc. was appended to the G.O. orders have now to be passed regarding the rules, chapters XI & XIII of the Police Manual (W.I.) Contain the rules re punishment & appeals. Some of the rules proposed by the I.G.P are similar to those in the Police Manual, some are new ones, & in some there is some alteration in the wording. Some other rules in the Manual are not touched by the I.G.P. Such of the rules now proposed as are approved by Government may be added to the Police Manual in suitable places. For a convenient consideration of the rules, I have tabulated in the appended statement the I.G.P's proposed rules with the corresponding rules in the Manual, & noted comments against them as remarks.

Chief Secretary) 6/11/31

66) A draft reply may be put up on the following lines.

Rule 7 and Rule 11 (2 appeals) should not be considered with the Police Regulation Act as it is not proposed at present to amend the Regulation, the propriety of adopting these Rules may be further examined.

Rule 5. The object of this Rule may be made clear and the advisability of

NOTE—Contn. Sheet.

42

File No. | of 193 . | General and Revenue Secretariat

restrictive punishment by the imposition of fine in the manner proposed maybe further considered.

Rules 1 2 3 . . . . . are substantially a reproduction of the existing Rules contained in Chapters XI & XII of the Manual which may be left undisturbed unless there are any special reasons for making a change.

Rules 4 5, 6, 7 . . . . . which are new are approved by GOI

Formal order will issue on receipt of I.G.P's views on the points kept in above.

MEL
3/6/32

67) Draft letter to the I. G. P. is submitted for consideration
Ker 4/6/32 MSK 6/6/32 No orders have been passed against rule & appeal

The draft as revised may be typed

C 17/6

CHIEF SECRETARY
2 JUNE

Typed draft is submitted
Ker 20/6/32 MSK

Chief Secretary) C 21/6/32

For approval
MEL
23/6/32

Second Member)

Draft appd. (Re: rule 4 I am not sure whether the new rule will be of some use as imprisonment. His hands cannot be tied in imposing fine in all cases) by
25/6/32 MEL
25/6/32

OFFICE OF THE [illegible] OF COUNCIL
24 JUNE 1932
No. 10814

C 25/6

Serial No.

May the draft issue, omitting Rule (1) under para 3 of the draft and adding it as the first of the rules generally approved in para 4?

MSH
27/6/32

70) The 2nd Member has approved of the draft as it is. Mayit issue
-Chief Secretary)

G 27/6
IS
Secy 27/6/32

Issue
MSH
28/6/32

71)

To Dr D. Gr of Police

Letter no P 7391/Pol 207-30-37 dated 30.6.32 stating that certain Rules may be revised & re considered in the light of the rules already existing in the Manual.

Secs A
2/7/32

72)

From

The Dy Gr. of Police,

Letter no C.C. 19/31-32 dated 2/4-7-32 forwarding his reply in the matter of the draft rules proposed for the punishment & appeal by the Police Officers.

Submitted for orders

5/7 6/7/32

73) In reply to the points raised in on the Note as at para 66 above, The D.G.P observes as follows:—

NOTE—Contn. Sheet.

File No. of 193 . | General and Revenue Secretariat

1) He states that Rule 112 of the Police Manual empowers DC's to suspend Police Inspectors & it is sought to place this power in the hands of D.S.P's also. The Regulation 18(c) of (Sec 26(31)) gives this power to D.C's, while D.S.P's are not given such power. The proposed rule is in relation of the Regulation, where the D.S.P is given power to punish only officers of the lower the grade of S. I's. The exercise of this power is subject to rules. A higher power than is now allowed by the Reg cannot be conferred by rules as proposed by the I.G.P. If any such emergency arises the D.S.P can report to the D.C. that the Inspector suspended immediately.

I agree my suggestion

2) As regards Rule(1) appeal The I.G.P admits that it is a departure from the Reg & states that it is advisable to limit the appeals. This would involve amendment of the Regulation.

For the present, the rule proposed by the I.G.P. need not be adopted my [illegible]

3) The I.G.P says that fining only paid subordinate officers is not a suitable punishment, as they resort to corrupt practices for reimbursing themselves of the fine paid.

The views of the I.G.P may be accepted my views

4) It is stated that rule 8 (right of appeal to be allowed to D.S.P) is intended to provide for an appeal by the D.S.P when he & the D.C. disagree with an order passed by the latter

Rules for punishment and appeal

[App. F. III—2

General and Revenue Secretariat | File No. | of 193 .

Serial No.

I agree
Chief Secretary

It does not seem to be proper or in conformity with service discipline to allow an appeal at the instance of a subordinate office against the orders of his superior in departmental matters which do not concern the former personally. There will be no harmonious working between a D.C. & a D.S.P. if the latter has the right to appeal against orders of the former.

5) The reasons for alteration of the change in some of the rules which do not materially differ from the present rules is stated to be to put them in their proper sequence. It seems to be unnecessary to change the wording of the present rules. After the other amendments are approved, they can all be arranged in proper sequence under chapts XI & XIII of the Manual.

Instead of making amendments, we may issue the rules as revised in a consolidated form, in replacement of the existing provisions, as suggested by the D.G.P.

Chief Secretary)

8/7/32

1 JULY 1932

74) Second Member) 15/7/32

OFFICE OF THE SECOND MEMBER OF COUNCIL
11 JULY 1932
No. 333

11/7/32

75) 12/7/32

12/7/32

76) Draft G.O. is submitted for appl. 12/7

16/7/32

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

77) The draft G.O. of rules may be typed as revised.

(45)

78) Revised draft is typed & submitted. Do not 26/7

79) The rules regarding punishments & appeals as approved have been arranged in proper sequence. They will replace present chapters XI & XIII of the Police Manual Vol I. The draft G.O is for approval.

Chief Secretary) Ce. 30/7/32

1 AUG. 1932

80) Please see the corrections made in Chapter XI Pages 1, 5 & 6 may be retyped

Ree 7/8/32

G 1/8/32

Revised draft is submitted

Do not 17/8

Chief Secretary) Ce 19/8

The Inspector General of Police has proposed the revision of the Rules regarding the punishment of

General and Revenue Secretariat | File No. of 193 .

Serial No.

Police officers and appeals against orders of punishment. These proposals, with a few minor changes in accordance with the provisions of the Police Regulation, have been approved by the Legal Member. The draft G.O. and the revised rules appended to it may be approved for issue

Secy
25/8/32

(Secy)

Secy
25-8-32

Issue
Secy
26/8/32

DE 1292 26 AUG. 1932

PUBLIC SECTION 26 AUG. 1932 & REV SECTT.

G.O no 8/1400-40 Pol 207-30-39 dated 5.9.32 approving of the revised rules re punishment & appeals in place of the existing rules contained in Chapters XI & XIII.

B 1079/33

NOTE—Contn. Sheet.

Appendix F G—1

SUBJECT.....

.....

.....

Section 99

File No. 207-30

Serial No. 11

No. 7531

Diary No. of letter replied to 4475

General and Revenue Secretariat

( )

the *193* .

To The Inspector General of Police in Myso

Date of issue 29/8/31

Signed by M' C88

Sir

With reference to your letter No. CC 27/30-3 dated 17th May 1931 suggesting a possible reduction in the number of Inspectors by redistributing their charges and giving each more than one taluk to modification of the police functions of the Amildars and the Deputy Commissi

List of enclosures.....

Copied by.....

Examined by.....

[over

2
~~3~~ 9

I am directed to state that these proposals will result in the Assistant Ceasing to be the Head of the Police in the Taluk and the Deputy Commissioners having no departmental control over the District Police. I am therefore to request that these proposals may be further examined after consulting the Deputy Commissioners of Districts and a report submitted with their opinions.

I have &c

for Chief Secretary to Govt

P. 1331
Pol-207-30-11

28th August 1931.

Chief xxxxx

F.A. Hamilton, Esq., C.I.E.,
Inspector General of Police in Mysore.

With reference to your letter No. C.C.27 of 1930-31 dated 17th May. 1931 suggesting a possible reduction in the number of Inspectors by redistributing their charges and giving each more than one Taluk, and modification of the Police functions of the Amildar and the Deputy Commissioner, I am directed to state that these proposals will result in the Amildars ceasing to be the Head of the Police in the Taluk and the Deputy Commissioners having no departmental control over the District Police. I am therefore to request that these proposals may be further examined after consulting the Deputy Commissioners of Districts and a report submitted with their opinions.

I have the honor to be,

Sir,

Your most obedient servant,

Chief Secretary to Government.

C.R.G2.

Form VII

1932.

Department of Police

OFFICE OF THE I. G. OF POLICE IN MYSORE

STATION BANGALORE

No. C.C. 19/31-32

Dated 27th February, 1932.

Encls: 8.

To whom sent	Date	Initial.
The Chief Secretary to the Government of Mysore Bangalore.	~~Given for copying~~	
	~~Copied~~	
	~~Examined~~	
	~~Signed~~	
	~~Given for despatch~~	
	~~Despatched~~	
	~~Indexed~~	
Pages in the file 38	~~Tarbe destroyed on~~	

(SUBJECT.)

Reorganisation

Letter to Government regarding ——— of the Mysore Police Department, with enclosures.

Not to be filled in the case of permanent records.

5 5982 8?/1

POLICE DEPARTMENT

Tel. Address
"ALACRIS"
PHONE No. 298

Pol 207-30-26

OFFICE OF THE INSPECTOR GENERAL OF POLICE
IN MYSORE.

When replying please quote
No. C.C. 19/31-32
Enclosures: Eight

Dated Bangalore, the 27th February 1932.

From

F. A. HAMILTON, Esq., C.I.E.,
Inspector General of Police in Mysore,
BANGALORE.

To

R. Ranga Rao, Esq., B.A., B.L.,
Offg. Chief Secretary to the Government of Mysore,
Bangalore.

SIR,

RE-ORGANISATION

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I have the honor to state that in my letter No.C.C.27 of 1930-31 dated the 17th May, 1931, I suggested a reduction in the number of Inspectors by redistributing their charges and modifications in the Police functions of the Amildar and the Deputy Commissioner. Government in their letter No.P. 1331-Pol. 207-30-11 dated the 29th. August, 1931, asked that these proposals be further examined after consultation with Deputy Commissioners. Accordingly I sent a note dealing with the proposals to Deputy Commissioners on the 10th September, 1931, and up to the date of writing (21st January, 1932) have received replies from six of these officers. I do not consider that my report need be further delayed by awaiting the receipt of replies from the remaining two Deputy Commissioners.

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A copy of the note referred to is appended (Enclosure I.) In it I gave reasons for the proposals made. In the case of the Amildar I said that the practice relating to his scrutiny of papers varied and while it had in actual practice become largely a formality, it operated to delay the transit of important papers, such as those dealing with Crime, and so tended rather to hamper than assist the work of the department and suggested that his control be removed. In the case of the Deputy Commissioner I suggested that his control over purely departmental matters such as the granting of leave, the punishment of the subordinate police and promoting to the grade of Jamadar might cease and be vested

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in the District Superintendent and the Deputy Inspectors-General of Police. I further suggested new definitions of the positions of the Deputy Commissioner and the District Superintendent respectively.

2.(i) The Deputy Commissioner, Tumkur District, in his reply (Enclosure II) agrees with most of the remarks made in my Note; holds that the supervision of the Amildar is mostly of a routine character while his investigation of cases is practically in abeyance; and that in respect of the proposed relief to be afforded to the Deputy Commissioner in matters of internal economy of the police force he is in general agreement with the suggestions made.

(ii). The Deputy Commissioner, Mysore District, (Enclosure III) holds that the supervision the Amildar is called upon to exercise is of a most superficial and routine nature and has the effect only of delaying papers, while in the matter of investigations Amildars more usually hampered than help when they took any interest and that, otherwise, they allow the Investigating Officer to have his own way; he does not think that when a better class of Inspector is being recruited there would be any falling off in the standard of police work if the Amildar's duty is confined to the scrutiny of the Inspector's General Diary and the inspection of Stations. He considers it necessary that the headship of the Amildar should be recognised to maintain discipline over patels while it should be open to the Amildar to report misconduct on the part of the Inspector.

(iii). In respect of the Deputy Commissioner, he is not averse to the transfer to the District Superintendent of his powers in purely departmental matters, but he thinks that the Inspector General or Deputy Inspector-General should have the benefit of the opinion of the Deputy Commissioner in the matter of punishments, the latter having more opportunities of contact with the subordinate police while, further, the Deputy Commissioner will exercise check over personal whims of the District Superintendent in punishing his subordinates.

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(iv). The Deputy Commissioner, Kadur District, in his reply (Enclosure IV) agrees that it is true that the powers exercised by the Amildar over the police are of a nominal character and he has no objection to Amildars being relieved of all their police functions and powers. He would, however, emphasize the need of appointing only capable and honest men as Inspectors and until the class is improved would retain the Taluk as the Inspector's charge.

(v). As regards the Deputy Commissioner and the District Superintendent he holds that if the powers of the latter in the matter of discipline are enhanced, the former should still have powers of appeal and revision.

2. (vi). The Deputy Commissioner, Kolar District, (Enclosure V) sends as his reply copies of letters addressed by the late Mr.K.Doraiswami Iyer when he was Deputy Commissioner, Tumkur District, on suggestions similar to those now made and put forward by Mr.F.E.C.Carr when he was Inspector General of Police, adding that conditions have not materially altered since then to justify a change of system and that in view of his idea of the probably future course of events any relaxation of control now existing in the hands of the Deputy Commissioner and Amildar is fraught with grave danger. Local control, he thinks, is better informed and more effective than distant check by reports and returns.

(vii). The Deputy Commissioners of Hassan and Bangalore Districts have sent lengthy replies (Enclosures VI and VII) in, what I may term, somewhat vigorous opposition to the proposals made. I have, however, had the advantage of personal consultation with these two officers and find there is in reality much greater agreement between us than these replies would seem to show. As regards the former, after I had explained my proposals on a wider basis than was possible in my note he considered that, should the control of the Amildar be relaxed, there should be constituted some superior control as by additional Assistant Superintendents and that punishments might be dealt with by the District Superintendent provided

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that appeals lay to the Deputy Commissioner. In his note he also makes some valuable suggestions regarding the future recruitment and constitution of the force which I shall take advantage of later. The latter has kindly drawn up a supplementary note (Enclosure VII A) after my consultation with him, in which he states that the arrangements provided by the Police Regulation should continue but that Amildars while retaining financial control in account matters and being responsible for the efficient work of the Taluk Police should be subordinated to the Superintendent in respect of police duties and that the Station General Diaries should pass through him. The position of the Deputy Commissioner should, he thinks, remain unchanged, only important correspondence passing through him. He thinks that the powers of Superintendents in the matter of punishments should conform to those accorded in the Police Regulation, save that the power of dismissing Sub Inspectors be in the hands of the Deputy Commissioner.

3. I do not think that much in the way of comment is needed on these replies : a certain degree of agreement has been reached which will provide a working basis, except in the case of the Deputy Commissioner, Kolar District. The two notes appended to his letter date, I gather, from the year 1904 and are, consequently, rather antiquated documents. The Deputy Commissioner's comment on them is that conditions have not materially altered since that year. But I believe it will be sufficient to peruse these notes and compare the condition of the Amildar then as well as of the departments of Forests and Public Works with the conditions under which they are working today to realise what momentous differences have been introduced. This Deputy Commissioner also visualises what he considers will be the future developments in Government in Mysore and in India and bases on this mental fabric his conclusion that changes in the position of the Deputy Commissioner and Amildar of the future will be fraught with grave danger. I do not think it will be necessary to follow him in his career of speculation. I will take it that he is opposed to change but that his conclusions have no very sure foundation.

Turning

Turning to such points of agreement as have been reached I think I may summarise them as follows:-

Two Deputy Commissioners agree that the control of the Amildar may be removed and another holds the same opinion provided additional supervision by gazetted officers is introduced as a safeguard: another holds that the nominal headship of the Amildar is necessary, but that it will suffice if only the Inspector's General Diary pass through him: yet another would have the Station General Diaries pass through the Amildar The sixth officer is opposed to all change.

As regards the Deputy Commissioner one officer is amenable to matters of departmental import passing out of his hands; four consider that the Deputy Commissioner should have some control over punishments, the direction being in matters of appeal and revision. The last is against all change.

I think it will be possible to make proposals which will be acceptable to the majority of the Deputy Commissioners whose opinions I have before me, and that I hope to do. But before I formulate them I consider it advisable to deal briefly with this history of the Mysore Police in order to show that what I propose is not entirely novel and that there is sufficient cause to warrant change.

4. The original Police Force of the State was organised from the Kandachar and Village Police Systems, the former being made exclusively Police peons under Duffedars, Habildars and Killedars all of whom were subordinates of the Amildar. In 1856 the Judicial Commissioner became the Inspector General of Police. In 1861, Act V of the Government of India was passed and was in 1866 introduced into the town and district of Bangalore and between 1872 and 1874 was extended to the whole State. A Deputy Inspector General was appointed in 1873 to assist the Judicial Commissioner and the next year officers of the rank of Assistant - Commissioners were appointed in districts for police work. There follows

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the disastrous famine of 1876-77 which resulted in the obliteration of these new police arrangements: the Deputy Inspector General and the District Superintendents disappeared and the Inspectors and Sub Inspectors ceased to be independent officers and were relegated along with the Constabulary to their old position of subserviency to Amildars. The Sub Inspectors, indeed, disappeared their places being taken by Jamadars. In this position the subordinate police have remained, constituting roughly a minor branch of the Revenue Department, despite the reinstitution of police officers of higher rank. The appointment of Inspector General was revived in 1885 and he in 1891 urged upon Government the anomalous conditions exercising an unfavourable influence upon police work, namely:- The undefined nature of the dual control under which administrative and magisterial Heads of Taluks and Districts were responsible also for the Police, and the use of the police department by officers of the General Department as a stepping stone to promotion. In the following year a proposal to make Inspectors independent of Amildars was made by Mr.V.P. Madhava Rao but was rejected and so matters remained as they were save that the post of District Superintendent was re-established. It was not until 1904 that another move was made in the same direction, this time by Mr.Carr, but again the opportunity of placing the police on a sound footing was lost, the forces of conservatism - if we may judge from the notes appended to Enclosure V - vehemently opposing progress. In 1908 Regulation V was framed and became law. A perusal of this Regulation makes it evident that its framers halted and hesitated between the changers and the no-changers. The hierarchy of a properly constituted police force was provided for with its Inspector General, Deputy Inspectors General, Superintendents and Assistants, but of these the grade of Assistant - Superintendent was not established till many years later and that of Deputy Inspector General has never been created. What was more important and more pertinent to my present theme was that the Amildar was retained as head of the taluk Police though such an appointment was entirely foreign to the General Scheme. How illogical such an addition to the structure was will appear when it is stated that while the Amildar was made the

Inspector's overlord he was in no way subordinated to the Superintendent who was the Inspector's superior.

The Police by this law remained and still remains a subsidiary adjunct to the Revenue Department and this fact may be established apart from the evidence afforded by Regulation V of 1908. It may be seen in the fact that Assistant Commissioners are still appointed as Superintendents. It may be judged from the fact that Superintendents who exercise authority throughout a whole district are paid on the same scale as Assistant Commissioners, Assistant Engineers and Assistant Conservators of Forests who have authority over only portion of a district. Again, the very powers which it was intended to confer upon Superintendents by this Regulation were withdrawn by the Police Manual. But I need not labour a point which is well known. As with Superintendents, so with their subordinates: they remain subservient to and a subordinate branch of the Revenue Department.

On the victory - if such it was - achieved by the Conservative opposition in 1904 and which has so adversely affected the destiny of the police by preventing its evolution into an efficient department, the Deputy Commissioner of Kolar District would take his stand. The question of what was done in 1904 is so far pertinent since, had the forces of progress then gained the day, there need have been no question of police reorganisation now. The question now at issue is not so much what was done a generation ago but whether what was done was right and a sufficient answer to that question may be found in the absence of a properly constituted police force today.

5. I have been given to understand that the police sytem of the State was based on that of Bombay. I have not been able to secure a copy of the Bombay Police Act but I have perused the Bombay Police Manual and can find no reference therein of the Amildar, or Mamlatdar as he is styled in that province, exercising any control over the Taluk Police. It is more probable that the police system of this State is based on that of the Panjab. I have discovered no literature on the subject and can make no reference to the present state of affairs in that Province, but I may say that the differences between the peoples of this State and that province, their histories

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and customs, would scarcely afford a sanction for similarity of political institutions. It would clearly be more reasonable to adopt in this State a system obtaining in the neighbouring provinces of British India, populated by the same peoples, rather than that prevailing in a remote province in which the people of this State find neither similarity of race nor community of habit. However that may be, I conclude that the retention of the Amildar in this State as an intruder (if I may so refer to him) in the Police hierarchy, is merely a relic of a bygone age which, however salutary and useful in the past when the police force was still constituted by villages, hoblis and taluks is no longer a necessary factor in a police of which the State is the Unit. I realise that there is still strong opposition to his elimination even though there has been steady progress in the curtailment of his functions as a police officer and that it is probably necessary to allow still further time for the idea of his eventual excision to be absorbed and fructify into a prevalent opinion so that it may assume the force of a conviction, whereafter the existing law may be made consonant with the then existing ideas.

As regards the Deputy Commissioner vis-a-vis the Superintendent, I find in the Bombay Police Manual an injunction to the District Magistrate(who corresponds to the Deputy Commissioner) to refrain from interfering in the internal organisation and discipline of the force. But before I go further I think it necessary to remove a misconception which appears to have got abroad concerning my aims regarding the reorganisation of the Police. It is generally believed, I understand, that my intention is to curtail the powers and responsibilities of the Deputy Commissioner. Nothing is further from my views; indeed, I strongly urge upon Government the need for maintaining the Deputy Commissioner's control and direction over the Police. I take my stand on the findings of the Indian Police Commission and accept their verdict when they write that "it would be intolerably dangerous to allow the District Magistrate to throw responsibility of failure on the Superintendent or his subordinates,"

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and that "it is necessary to insist on the subordination of the Police Force to the District Magistrate who is responsible for the criminal administration of the district and for the preservation of the public peace". What exactly I do recommend is that in the words of the Bombay Police Manual the Deputy Commissioner should refrain from interference in the internal organisation and discipline of the force and this I interpret as meaning his dealing with punishments, promotions, leave and such like matters. But here again as in the case of the Amildar I realise that the break with the past should not be too abrupt and consequently and until the grade of Deputy Inspector General can be introduced, I provide for the Deputy Commissioner retaining power in the matter of punishments chiefly as an appellate authority. (Vide Enclosure VIII).

At the same time I believe it to be essential that the status of the Superintendent should be considerably improved and that he be permitted to exercise a greater control over the internal organisation of the force, as in the matter of punishments is conferred upon him by Regulation V of 1908 and by making him responsible for the efficiency of the Police under him, so that he may learn to take responsibility and develop initiative neither of which he is inclined to do under the existing conditions. At present, as a Deputy Commissioner in conversation pregnantly described the position to me, the Superintendent is between the devil and the deep blue sea. According to Superintendents themselves, whether members of the Civil Service temporarily attached to the police or promoted officers, they are afraid of the Deputy Commissioner under whose thumb they are and whose frown, they fear, may unmake them; they are afraid of the Magistracy which, while exercising the right to censure, is itself held to be above criticism; he is afraid of the general public on whose irresponsible lucubrations reliance is apt to be misplaced and he is afraid of subordinates of the Revenue Department who have the privilege of direct correspondence with the Deputy Commissioner and to whose reports greater credence is not infrequently attached than to their own, even though they themselves are members of the Civil Service.

It cannot be expected that officers working in such conditions can ever be useful servants of the State: they may be puppets dancing to the will of others but they will be loth to accept any responsibility or risk the display of any initiative. Their position is naturally reflected in the conduct of their subordinates who, as we have seen, are separated from them by a Revenue Officer over whom the Superintendent has no control. To state my opinion baldly, what is needed now is not so much the - reorganisation of an existing as the creation of an efficient police force. I am not aware of the exact nature of Mr. Carr's proposals but have it on the authority of the Deputy Commissioner, Kolar District, that they were similar to those I have made. If that is the case, is there not at least some significance in the fact that two - what I may be permitted to call - professional policeman living well nigh unto a generation apart should have indicated the same defects as existing in the Police of the State? There is also another fact, perhaps of greater potency, and that is that while every Deputy Commissioner who has been Inspector General of Police has taken up the reins of office with the full determination to maintain the Status Quo, has, each in his turn, emphatically altered his views before his term of office was completed. I venture to think, also, that any Deputy Commissioner who would now oppose reorganisation on the lines I am proposing, were he privileged to be Inspector General and see the reverse of the shield would wish to recall the opinions to which he has given expression. One of them has declared the defects of the police to be indiscipline and inefficiency - is further testimony needed to prove the absence of a real force? If to this description I add that the subordinate police are largely untrained, mostly uneducated and wholly underpaid the tale is complete. The Police force as it exists may have been sufficient in the uneventful past; but can it be said that it has effectively met the stress of the last five years? I do not suppose that the future holds less turbulent years in store for us and my sole aim and object is to create an efficient police and if that can be done the authority of the Deputy Commissioner will be increased and not diminished while his prestige will be enchanced and not depreciated.

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I have not, I trust, expressed my views too emphatically I have thought it incumbent upon me to draw attention to what I consider to be the defects in the present system and the difficulties under which the police are labouring and which prevent them from becoming an efficient force and which expose the need for radical change. But, the while, I realise that too sudden a revolution may not be advisable and in the proposals I shall make I shall propose some concession to the present mode of thought, trusting that time and the experience of a modified system may educate present opponents and reconcile them to acquiesce in the wider changes I advocate.

6. I will now deal with my proposals for the further reorganisation of the department and will begin with the Amildar. Enough has been said above to make clear the position of this officer. Under the law he is an ex-officio Police officer and is held responsible for the prevention and detection of Crime and the maintenance of order within his charge and is given general control and direction over the police of his Taluk. In practice the Amildar has exerted his police powers by investigating Crime, inspecting Stations and by the scrutiny of police papers. Exception, as has been shown, has more than once been taken to the continuance of his exercise of these powers. Actually the order requiring him to investigate crime has fallen into desuetude and latterly but little advantage has been taken of his power to inspect Stations. In these two aspects, therefore, his functions have largely, in the process of time, become atrophied. In the matter of police papers passing through him the practice varies widely: in some cases no papers are scrutinised by him: in others he receives only diaries as is made the practice in Rule 60 of part I of the Police Manual: in yet others, all correspondence passing between the Inspector and the Superintendent is sent through the Amildar. In these last cases, as I have remarked in my note to Deputy Commissioners, the scrutiny of all police papers by the Amildar appears to be unwarranted and in the nature of an usurpation.

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In fine then, the only aspect of the Amildars control that it appears to be necessary to deal with now is that of his scrutinising police correspondence. I have indicated the opinions of Deputy Commissioners in para 2 above: while one is for no change, two are in favour of the elimination of the Amildar: one other would have the Inspector's General Diary pass through the Amildar and one would have the Station General Diaries take that course. There will be difficulty if both these last opinion are adopted. The chief requirement, in my opinion, is that the Superintendent(or his Assistant) should be regularly and punctually informed of what is happening in each Taluk: if Station and Inspectors General Diaries both pass through the Amildar delay is inevitable and the control of the Superintendent must be lax. At present, I find that the delay in papers reaching the Superintendent owing to their passage through the Amildar's hands is one of the chief defects in the police system of the State, since so long a period must elapse before information reaches the Superintendent, that, when it does reach him, it is too late for him to interfere effectively. The police in Stations take advantage of the interposition of the Amildar to delay the despatch of papers either from inherent slackness or from a desire to keep their Superintendent in ignorance of matters that closely concern him. Such practices have to be eradicated and it is essential that papers should be sent from Stations punctually and reach the Superintendent with the least possible delay. At the same time and as the law stands, the Amildar has to be kept informed of what is happening in the Taluk and what the police are doing. To meet all these requirements as effectively as possible, I think the best course will be to send the Station General Diaries through the Amildar. These contain an account of the work done in Station, of complaints received and the action taken thereon and will give the Amildar a good idea of the state of affairs in the Taluk. The Inspector, after perusing these diaries, may collate the information contained therein and embody it in his General Diary so that the Superintendent may be speedily aware of the work done by his subordinates.

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The adoption of this course will, I believe, meet the requirements of the majority of Deputy Commissioners. The Amildar will continue to deal with financial matters such as pay and travelling allowance bills until such time as that part of police work is altered.

If the proposal I have made be adopted and also the one I shall make later of Sub Taluks coming under the jurisdiction of Inspectors, a difficulty will arise in the cases of Sub Inspectors in these Sub-Taluks. The Deputy Amildar is not the subordinate of the Amildar and Sub Inspectors in Sub Taluks have hitherto been independent of any Inspectors' control, their correspondence being sent through the Deputy Amildar to the Superintendent. I shall propose the Sub Taluk Sub Inspectors be placed under the jurisdiction of the Taluk Inspectors, in which case these Sub Inspectors will send their papers to these Inspectors who will forward them to the Superintendent without the intervention of the Deputy Amildar. I understand it is the intention of Government to abolish Sub Taluks in which case my proposal will eventually fit in with the scheme of things.

7. Next I will deal with the Deputy Commissioner. I believe I have already made it quite clear that it is not my intention to diminish the powers of control over the police now exercised by these officers. All that I advocate is, that his intervention in the internal management of the force i.e., in matters relating to punishments, promotions and leave, be diminished so that the Superintendent may be made responsible for the efficiency of the District Police and that his responsibilities in the matters mentioned be increased. In the matter of punishments I have in Enclosure VIII suggested the division of responsibility in that direction and have assigned to the Superintendent powers more in keeping with those conferred upon him by law than the restricted interpretation the Police Manual allows, and have constituted the Deputy Commissioner the appellate authority in the case of orders passed by the Superintendent and have left the power of dismissing Sub Inspectors in the

Deputy

Deputy Commissioners' hands. In the matter of promotions, the Deputy Commissioner now has the right to make appointments to the grade of Jamadar. This grade is, I consider, an anachronism and might well have been abolished when that of Sub Inspector was introduced. As will be seen below, while retaining the appellation, I propose the practical abolition of the grade by merging it in that of Daffedar, whereafter the need for Deputy Commissioners exercising patronage in respect of it will disappear. In the matter of leave, the Superintendent can well deal with the cases of subordinate officers: in those of Inspectors provision can be made for the Deputy Commissioner being kept informed of the measures proposed.

In thus assigning to the Deputy Commissioner some power of intervention in matters relating to the internal organisation of the force I consider that this should be done on the understanding that in the event of the grade of Deputy Inspector General being introduced the powers now assigned to the Deputy Commissioner thereafter be exercised by the Deputy Inspector General. This does not mean that the Deputy Commissioner would be excluded from all control over the force but merely that control over its internal organisation would pass into the hands of the department. What exactly will be the position of the Deputy Commissioner in respect of the police I shall endeavour to indicate by the definitions proposed below.

In my note (Enclosure I) I have defined the positions of the Deputy Commissioner and the Superintendent: I will alter these definitions slightly to make what I recommend for adoption clearer and suitable to local conditions.

6 "The Deputy Commissioner and District Magistrate, as the chief executive officer in the district, is primarily responsible for the maintenance of law and order and the criminal administration of the district, and, for these purposes, the police force is under his control and direction. The Superintendent is the Deputy Commissioner's Assistant for police purposes and it is his duty to keep the latter fully informed, both by personal conference and special reports, of all matters of importance concerning

the peace of the district and the state of crime. In important matters of the above nature he should take the orders of the Deputy Commissioner.

If the Deputy Commissioner, for any special reason, considers, that a Police Officer of and below the rank of Sub Inspector should be transferred from a particular locality or from any special duty, he shall call upon the Superintendent to transfer and replace him, and it shall be incumbent upon the Superintendent to carry out such orders.

In the case of a police officer above the rank of Sub Inspector, the Deputy Commissioner may address the Inspector General with a view to the officer's transfer.

The District Superintendent of Police is the head of the District Police Force. He is responsible for all matters relating to its internal economy and management, for the maintenance of its discipline and the punctual and regular performance of all its preventive and executive duties.

He is responsible for the force under his control being properly trained and kept efficient and ensuring, by constant supervision, that the prevention, investigation and detection of crime in his district are properly and efficiently dealt with by the Police Force under his command".

This last paragraph is new and is adapted from the Bombay Police Manual, the intention being to define clearly the duties of the Superintendent.

As I have said in my note (Enclosure I) I do not think that the position of the Deputy Commissioner as thus defined will undergo any radical alteration. He remains the responsible Executive head of the district, with the Police Force under his control and direction. The Superintendent as the Executive Head of the Police, is made responsible for its discipline, internal organisation and efficiency. I

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believe the positions as explained by these definitions will be acceptable to the majority of Deputy Commissioners. As I have said there is no intention to deteriorate their authority: the design is to place at their command an efficient Police Force.

8. In the preceding paragraph I have referred to the appointment of Deputy Inspector-General, an office which was provided for in Regulation V of 1908 but which has never been created. The powers and duties of this officer are thus described in the ORDERS of the Madras Police :-

"The Deputy Inspector-General in charge of a range is a link in the chain of responsibility between the Inspector-General and District officers. He should endeavour by frequent personal inspection to establish and maintain efficiency and discipline, to ensure uniformity of procedure and practice, and to secure co-operation between the Police of his several districts as well as harmonious working between the Police and Magistracy. He should control, instruct and advise Superintendents,while being careful not to supersede them in any of their proper functions or relations to their subordinates. Superintendents, on their part, should treat the Deputy Inspector-General with frankness, assist him in his inquiries, bring to his notice the requirements of their districts and consult him confidentially in all matters of difficulty.

It is the duty of the Deputy Inspector-General to see that steps are taken for the prevention of crime, and, particularly, that adequate arrangements are made for dealing with any usual outbreak. It is also his duty to exercise a constant scrutiny over the course of investigation of cases and see that superior officers take an adequate part therein. He should particularly watch the investigation of complicated or important cases.

The Deputy Inspector-General has a large measure of administrative control within his range. He decides appeals from the orders of Superintendents".

In the Bombay Police Manual, his duties are thus defined:-

"It is the duty of each Deputy Inspector-General to maintain, by frequent personal inspection, the efficiency and discipline of the police force under his charge, to be in close touch with the Superintendents of Police of his range and ready to assist or control them, to establish uniformity of procedure, harmonious co-operation between districts and between the police and magistracy; to superintend carefully the prevention, registration, investigation and detection of crime occurring within his jurisdiction. He is responsible that all necessary measures are taken by the police for the prevention and detection of crime in his range, and particularly that adequate arrangements are made for dealing with any unusual outbreak of crime; that the investigation of serious cases is properly supervised and that gazetted officers play an adequate part in this work. He shall seek rather to encourage, instruct and advise the Superintendents of Police than to find fault and shall be careful not to supersede them in their proper function nor to interfere unduly in their relations towards their subordinates.

The Deputy Inspector-General shall be in close touch with the District Magistrate about the maintenance of peace and the prevention and detection of crime in their respective districts. Communications with District Magistrates shall ordinarily be through the Superintendent of Police. The Deputy Inspector-General when visiting the Head Quarters of a District shall make a point of seeing the District Magistrate".

It will be seen that the instructions in both these Provinces are in agreement.

These instructions will, I believe, make clear the position of the Deputy Inspector-General. He is an administrative Officer and his chief functions are to co-ordinate the work of the districts in his charge and secure uniformity of practice as well as co-operation between the Police of the different districts - matters which I have said in a previous

letter

letter are badly in need of organisation in this State. The Deputy Inspector-General is able to exercise a broader outlook than Deputy Commissioners, being in charge of group of districts. At the same time, he would relieve the Deputy Commissioner of their powers of punishing Police officers and their appellate powers, but would work in strict co-operation with these officers. He would also relieve the Inspector General of much of his inspection and routine work and be that officer's deputy so far as the districts in his charge are concerned and would undertake any enquiries into the conduct of gazetted officers of the department that may arise.

I will deal later with the probability and possibility of this grade of officer being introduced : for the moment I will say that it may be advisable to allow time for the germination of new ideas regarding the Police system, since I have gathered that it is largely on account of the proposed appointment of Deputy Inspector-General that misgivings have arisen. The need for this grade of officer arises largely from the necessity of providing increased departmental supervision, chiefly in the directions of regular and frequent inspections and to secure uniformity of practice and inter-district co-operation. I have found from experience that it is hardly possible for the Inspector-General with his numberless preoccupations to pursue and attain these objects and believe that the intervention of one or more officers of the grade proposed is essential in the interests of systematic police work. Should, however, the immediate creation of even one post of this rank be deemed premature as it may be before familiarity with new conditions has been cultivated, the matter may be allowed to lie over for the present.

9. Another direction in which increased departmental supervision by superior officers is required, more especially as there is some apprehension that any tendency to relax the control of the Amildar may result in contrariness on the part of the subordinate Police, is by addition to the number of gazetted officers. Some of the larger districts

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as Bangalore and Chitaldrug, have been given Assistant Superintendents for this purpose, but there are others as Kolar, Tumkur and Shimoga, wherein additional Gazetted officers are needed. It will be remembered that in my former proposals (No.C.C.27/30-31 dated 17-5-1931) three officers of the grade of Assistant Superintendent were eliminated : I advocate their re-institution now to provide the extra supervision by superior officers that is required and their allocation to the three districts named to assist their Superintendents in maintaining closer control over the subordinate police. The Deputy Commissioner, Hassan District, has advocated the adoption of this proposal and I agree with him that it will be a sound course to follow. The area of the districts referred to is large and Superintendents have difficulty in maintaining as close a scrutiny over police work as is desirable and the introduction of greater supervision will, as I have said, tend to obviate any solicitude that the weakening in the influence of Amildars may excite. The existence of more Gazetted officers in a district should(provided that men of the right stamp and ability are entertained) promote a feeling of security in the public regarding Police administration and also by these additions provide a wider agency through which that public may vent any grievances it may harbour and obtain a readier investigation of its complaints.

10. Having dealt with the additions to the cadre of gazetted officers that I consider necessary for the efficient work of the department and its development into a self-contained service, I will treat of the conditions of service of this cadre of officers, stating the conditions necessary to give them the status of District officers and enable them to maintain themselves on an equality with officers of other departments of like status, as well as the provisions relative to their recruitment in the future.

(1) In my previous letter on reorganisation (No.C.C.27/30-31 dated the ~~7th May~~ 17th March, 1931, - para 18) I suggested that the scale of

salaries

salaries for Superintendents should rise to Rs.600/-. On further consideration and with a greater knowledge of sister services in the State, I do not feel sure that those suggestions meet the requirements of the situation adequately. The question, as it appears to me, is really one of whether there is to be a Police Department or whether the Police are to continue to be regarded as an adjunct of the Revenue Department with its District officers paid on a scale similar to that of Sub-Divisional or even subordinate officers in other departments. If it is the latter plan which is to be perpetuated, I can see no hope of the Police assuming their proper position in the machinery of the State. I need not, I think, emphasize the importance of the Police Department to the State and the need there is for its being maintained in an efficient condition: the events of the last few years have brought that question into sufficient prominence. If it is to retain its existing organisation on what is in reality a District and not a State basis, its function must be to serve local and not general needs. To make the present system complete, the logical course would be to hold each Deputy Commissioner responsible for the efficiency of the Police in his District, its recruitment, organisation and equipment. I do not believe that any Deputy Commissioner would undertake such a responsibility : nor am I prepared to recommend what I would regard as an hazardous experiment. The alternative, and the course I consider essential, is to organize the Police as a State Department, its officers being regarded and paid as belonging to such a department and not merely as the subordinates of the local authorities. In such case District Superintendents must be remunerated on scales similar to those of other State Departments such as the Medical, Forests and Public Works.

(iv) Let us examine for a moment the present state of affairs. District Superintendents of Police are paid on scales equivalent to Sub Divisional officers, and, in some instances, to Taluk Officers, a condition totally incompatible with the position they hold as officers exercising authority throughout an entire district and one which makes it impossible to maintain the dignity of their position and the social appearances that position demands. They must inevitably appear as the inferiors of

District

District officers of other State Departments, yet, like them they have a position to keep up: like them, also, they are bound to maintain motor cars which the travelling allowance they draw does not suffice to pay for and, unlike their brother officers, they must provide themselves with uniform and appear constantly in public in it smartly turned out and an exaple to their subordinates. It is a sheer impossibility for them to do these things on their present inadequate salaries and not only do they labour under grave disadvantages in the matter of remuneration, they are unable, also, to maintain appearances and the dignity of their office and even the respect that is due to the State in their persons.

(iii). The Deputy Commissioner, Hassan District, lays it down in his note appended that one of the essential reforms required in the Department is that Superintendents and their Assistants must be more highly paid. He proposes the scale 200-25-450 for assistants and 450-35-800 for Superintendents. This, with slight alterations, would mean that Superintendents would be placed on a par with Executive Engineers, Sub and District Judges, Senior Assistant and Junior Deputy Commissioners and Senior Assistant and Deputy Conservators of Forests, while Assistant Superintendents would rank with Assistant Commissioners in the Revenue Department, 1st Grade Munsiffs in the Judicial and Assistant Engineers in the Public Works Department.

(iv). I think, after what I have written above, that there is sound foundation for these proposals and I would urge the speedy adoption of some such improved scales. One criticism I have to make of the scales proposed is, namely, that the scale for Assistants merges into that for the Superintendents whereas the enhanced responsibility of the latters position calls for some marked difference between the two scales. I would suggest the following for adoption by Government:-

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A. S. PS		D. S. PS			
Probationers	200	1st year	450	10th year	625
3rd year	250	2nd "	475	11th "	650
4th "	275	3rd "	500	12th "	675
5th "	300	4th "	525	13th "	700
6th "	325	6th "	550	14th "	700
7th " &		7th "	575	15th "	725
subsequent years	350	8th " &·9th	600	16th "	750
		EFFIEIENCY BAR		17th "	775
				18th "	800

(v). I have / placed the Probationary period at 2 years but there should be no objection to confirmation within that period provided the officer has qualified himself for his position, is deemed competent to hold charge of a Sub Division and that a vacancy exists in which he can be absorbed. As regards Superintendents, I consider that no officer, even if he is only acting in the position, should draw less than the pay of the last grade.

(vi). With Superintendents rising to a pay of Rs.800, the salaries of Deputy Inspector-General must needs be on a higher scale and I would suggest for that grade a stipend of Rs.1000/-.

(vii). I realise that these proposals imply what may be regarded as a vast addition to the Police Budget. To that criticism, I would reply that the salaries now paid to Police officers are altogether inconsistent with the status they possess. I may hazard the remark that the department has too long been regarded as the Cinderella amongst those with which it should receive equal treatment and, as I have said, if there is to be a Police Department, its officers must be adequately remunerated.

(viii). I, further, realise that these proposals will, if given effect to, have repercussions on the system now in vogue of drawing Superintendents from the Civil Service and that aspect of the matter I shall deal with under the head of recruitment.

(ix) In dealing with this matter I may, I believe, base my remarks

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on the solid fact that the method of recruiting the Gazetted ranks by promotion by seniority from the Inspectorate has failed. From the experience gained of the results of this method one might, indeed, be inclined to repudiate it. I do not, however, feel justified in condemning an entire class on account of the demerits of some of its members. I believe that there are members of the Inspectorate who are fitted for Gazetted rank, but they are not necessarily those who are the most senior in the grade. It may be, in fact it is, necessary to look further down the list to find suitable candidates, but I do not doubt that such candidates exist and should hope with improved methods of recruitment that hereafter they may be found in plenty. But even then I consider that selection should be the basis of promotion; it should, I think be the basis of any system of promotion, but more especially so in the case of advancement of Gazetted rank.

8 In a previous reference I suggested that the proportion of directly recruited to promoted officers should be 1 : 2; I am now prepared to face a charge of inconsistency by changing my suggestion and reversing the proportions. My reasons for this change of ~~face~~ front may be found in the fact that I am now taking a less restricted view of the subject than formerly and am endeavouring to envision the future of the department for many years to come taking into account, on the one hand, the vacancies that will arise amongst Gazetted Officers in this and succeeding years and, on the other, the prospect of building up a department complete with its own cadre of officers. Having in view these aspects of the matter I would recommend that for some years to come the proportion of directly recruited to promoted officers in the Gazetted ranks be 2 : 1. There are three vacancies to be filled this year and a like number next year while there are only two Probationary Assistant Superintendents available, necessitating the taking of officers from the Civil Service to fill the cadre this year. It will be necessary to obtain two additional direct recruits this year, for it has to be remembered that such recruits require two years of training before he can be placed in charge of a Sub Division

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and at least four before he can be placed in District charge.

10.(xi). Besides merely replacing, promoted officers who will disappear on superannuation, I think the question of gradually eliminating these members of the Civil Services who are now serving in the Department may well be considered, my idea being that, eventually, the department should be staffed by its own officers, recruited and trained for its service, since I cannot consider the existing system to be a satisfactory one. Under it officers of the Civil Service are posted to the Department for a term of years - a practice which the 'history' of the department shows to be a long-standing one and one which was introduced when the Police as a department was submerged. These officers are necessarily birds of passage making, as the Inspector General of 1891 said, the department a stepping stone to promotion and passing on as soon as the emoluments it offers them fall below those the Civil Service bestows upon them. The work of the Department may on account of its attractive nature hold their interest, but such inclination must be temporary since the department does not offer them a career in life; all the time they are in it, they feel that a change of work awaits them, whereafter their career in the Police must seem to them but an episode - possibly an instructive one - but one on which they will look back with interest, indifference or aversion according to their natures. It is true that the improved scale of salaries I have suggested might alter their outlook and some of them on that account might be induced to stay on in the Department especially if the grade of Deputy Inspector-General were introduced to serve as a link between the post of Superintendent and that of Inspector-General. That would be all to the advantage of the Department and, I think I may add, of the Government, since by that means officers of the Civil Service might be induced to make the Police their profession. It may be added that, in my opinion, the Inspector General should be an officer trained in the department rather than one coming from outside and unversed in its ways. Police work is not a subject that can be mastered in a day or a year but is the study of a life-time and the head of the Police should be one well acquainted with its organisation and

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its regulations: one who will see that the former is maintained and the latter enforced and not allowed either to fall into disuse or be capriciously departed from to suit his personal idiosyncrasies. Again, continuity of purpose and practice are essential to the effective administration of any department and the vogue of an officer flitting from one department to another, while it may have the advantage of providing him with a liberal education is apt to have a discomposing effect on the departments. It would be to every one's advantage, therefore, if the department afforded its officers a career in life so that not only those directly recruited to it but also that those who have come into it from outside might be induced to remain in it. As things are, promoted officers attain to gazetted rank toolate in life to make them see in their advancement much more than the acquirement of comparative ease whence they must retire into a condition of penury, while officers from the Civil Service are merely birds of passage marking time till better things come to them. With such conditions there never can be a department of any worth: My suggestions regarding future recruitment are that the gazetted ranks should be manned by specially chosen officers in numbers sufficient to replace inevitable casualties due to the superannuation of promoted officers as well as to render possible the eventual elimination of Civil Servants temporarily serving in it who either do not wish to remain in it or are unsuited to its requirement, such recruitment being tempered by promotion of deserving officers in the Inspectorate on a strictly selective basis.

11. (i) Turning to the Inspectorate, it will be unnecessary to labour the point of inadequate remuneration, this fact being admitted on all hands. There was a time when the maximum pay of the grade attained to Rs.200/- and I shall hope that that happy time will come again. For the moment I am restrained by financial considerations from suggesting a scale which will entail increased expenditure. In respect of the gazetted ranks such a step is, I consider, unavoidable; as regards the Inspectorate the raising of the pay of the lower grades is

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the first need and should I think be accomplished immediately. The scale I would suggest for immediate acceptance is as follows:-

1st grade	...	150
2nd grade	...	125
3rd grade	...	100

I may deal with the Sub-Inspectorate at the same time. This raising of the minimum pay of the Inspectorate would permit of the improvement of the pay of Sub Inspectors whose scale might be as follows:-

1st grade	...	80
2nd grade	...	70
3rd grade	...	60
4th grade	...	50

For immediate purposes I believe these scales will be satisfactory but further improvements should not be regarded as confined to the realm of dreams: comparison with the scales of pay obtaining elsewhere are inevitable and on that basis the scales suggested must be regarded as entirely inadequate. As I have said, however, my present purpose is to secure such improvement as may be incontinently introduced. It may be argued that even the adoption of the scales proposed must be wrecked on the rock of finance, but I am prepared to effect such further reductions in the force as may render possible their immediate introduction.

(ii) In the matter of the recruitment of the Inspectorate the existing conditions may continue. It may be advisable hereafter to limit the number of direct recruits to the grade so as to leave it open for promotions from the Sub Inspectorate. Direct recruitment to the Inspectorate might be limited as at present to one third of the vacancies occurring in the grade, the restriction being made permissive and not compulsory since it may be advantageous to secure men of high qualifications and standing at the outset and for some time to come until the Sub Inspectorate has been renovated and contains officers of efficiency fitted for advancement. But the promotion of such Sub-Inspectors should not be barred lest the tendency be to deteriorate the

the standard of the candidates recruited to the lower grade. It is as well that Inspectors should have had experience in Stations and be thoroughly acquainted with all phases of the work of the subordinates over whom they have to exercise control.

As regards Sub Inspectors, I think the educational standard might well be raised. With the S.S.L.C., the minimum qualification for Daffedars and, I may add, with graduates offering for posts in that more humble grade, the retention of the same qualification for the Sub-Inspectorate is inadvisable. The minimum qualification might at least be the Intermediate.

Promotions may now be made to the Sub-Inspectorate from amongst Jamadars to the extent of one quarter of the vacancies occurring the remainder being filled by direct recruitment. These limitations may continue.

12. I will next deal with the grades of Jamadars and Duffedars. These I propose should be merged into one, the former grade being as I have said above, an anachronism. I will merely retain the name of Jamadar to signify senior Duffedars and such of them as are qualified for promotion to the Sub Inspectorate. At present Jamadars are paid at the rate of Rs.40/- while there are two grades of Daffedars paid respectively Rs.24/- and Rs.21/-., thus showing that there is no cohesion between the two grades. My suggestion is that the two grades be merged so that promotion through them be continuous, the only reservation being that the two senior classes (i.e., those on Rs. 35/- and 32/-) be reserved for officers qualified for further promotion. The classificatio I would suggest are as follows:-

Subedars in Provincial Reserve Police.	Jamadars in Districts	35		
		32		
		30		
		27	Jamadars in P.R.P.	
		25		
Daffedars in Districts		23	Naiks in P.R.P.	
		21		

By this means the prospects of all officers in these grades would be improved. At present Naiks and Jamadars in the Provincial Reserve Police are stationary and the former have to await promotion to the latter grade. Duffedars in districts now stick at Rs.24. It is true that the existing grade of Jamadar would not benefit, but that grade would gradually be eliminated and ~~further~~ future holders of the title would have the advantage of steadily improving prospects instead of remaining stationary on a low and fixed scale of pay for an indefinite period.

In this matter, as in that of improving the scales of pay of the Inspectorate and Sub-Inspectorate, the question of finance supervenes but here also I am prepared by sacrificing numbers to improve the pay of the remainder provided the sacrifices made are used for the benefit of the department.

(ii) For promotion to the grade of Jamadar, candidates are required to have passed the S.S.L.C., and the S.H.Os test. The grade is now filled entirely by promotion from the Daffedars grade and this rule should be insisted upon. The better prospects to be afforded to Daffedars should suffice for the advancement of unqualified men in the grade. The existing rules require that 50% of Daffedars be directly recruited and that the S.S.L.C., be the minimum qualification. I consider that this rule may be continued: unqualified men - i.e., those who have not passed the S.S.L.C., will be able to rise to Rs.30/- while those who possess that qualification and who also pass the S.H.Os Test may rise to Rs.35/- and further, if acceptable, by promotion to the Sub-Inspectorate. In the case of Subedars in the Provincial Reserve Police this educational qualification will not be insisted upon.

By these suggestions it will be possible for a Constable who has passed the S.S.L.C. to rise through the grades of Daffedar and Jamadar to that of Sub Inspector or even to the Inspectorate and the prospect should prove an attraction to the educated to enrol themselves at the lowest rung of the ladder.

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13. I will now take the case of the Constabulary. In my previous report already referred to I pointed out that some 58% of this grade is illiterate and at first sight this fact would seem to reflect adversely on the state of rural education in this State. But, I understand, it is about ten years since attention was first devoted to education in villages and in that case youths of an age to be recruited who have attained to, at least, a minimum degree of literacy should now be forthcoming. This is the case to a certain extent, but either literate candidates are undersized or when of the requisite physical standard almost invariably decline to enlist as constables. They consider themselves worth more than the meagre pay that a constable gets and it is impossible that one should not sympathise with their view. The question is undoubtedly one of finance. It is necesèary only to enquire what the ordinary village labourer can obtain as wages and the result shows that he can easily get 50% more than Government offers to Police recruits. It is true that Government also offers clothing and - sometimes - free quarters, as well as a pension, but the question is one of the immediate gain and that is not counter-balanced by the offer of clothing which is regarded as superfluous, by accommodation which is usually not forthcoming nor by a pension of which the benefit is remote and problamatic. The immediate attraction must be greater. As things are, the recruits offering are generally the individuals the village rejects - those who may be termed its undesirables. That is not the material of which an efficient force can be constructed: the offer of better terms is essential.

The Deputy Commissioner, Hassan District, has in his note insisted on the need for paying constables in the State the equivalent of the salaries drawn by the constabulary across the border. That would imply making the minimum pay of constables Rs.18/- and to do that would mean the immediate addition to the budget of from 2½ to 3 lakhs of rupees. Such an increase in a budget of 19 lakhs must appear enormous, but I think the fact is one which has to be faced, if not immediately, at least in the

course

course of the next few years. Possibly the end may be achieved gradually though it has to be remembered that every postponement must make additions inadequate and out of date.

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In Government Order No.P.2742-51/Pol. 22-29-9 dated 21-11-1929 the minimum pay of constables was raised from Rs.12/- tc Rs.13/-. In this office letter No.C.2433 dated 24-6-1930, Government were requested to raise the minimum to Rs.14/- by granting 1166 constables then on Rs.13/- an additional rupee in pay. In Government Order No.P.1093-4/ Police ~~65-30~~ 90-30 dated 22-8-1930 this additional rupee to that number of constables was sanctioned, more highly paid constables also being given an additional rupee per mensem. I take it that the intention of Government was to raise the minimum pay of the Constabulary to Rs.14/- though the Government Order is question was not specific on the point. As a consequence, constables are still being enlisted on a minimum pay of Rs.13/-, though I hold that this is a mistake, due to the want of definiteness in the Government Order referred to. I have addressed Government separately in the matter which is important since, if the present minimum pay of constables is taken as Rs.14/- it will be possible immediately to raise it to Rs.15/- by sacrificing a certain number of constables in order that the pay of the remainder may be raised. I have gone into this matter and have consulted Superintendents regarding it and find there is general agreement that this step is feasible and is worth the candle, it being expected that the class of recruit offering will be better and that the loss in quantity will be counter-balanced by the gain in quality. It is at least hoped that literate recruits attaining to the required physical standards will be forthcoming at even this modest figure, having in view the fact that increments of pay may be looked forward to after periodsof 3,5 and 7 years as at present. In such cases as the candidates for recruitment have attained to a recognized educational qualification as the Lower Secondary or S.S.L.C. ~~xxx~~ an additional rupee on initial salary would prove an attraction and by these means it may be hoped to build up a force which is literate.

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× Not available. The connected file G.Pol. 90-30, Sls. 1-6 is put up with D. No. 8. 3982, which has been submitted to the Chief Secy.

D.No.8.3954 submitted separately. 15-1

The connected file (D No. P. 3456 — Police file No. DB-31-2 is being submitted separately.

In another report - that on allowances, this office No.G.C. 242 dated 1-2-1932, I have stated that the object should be to raise the minimum pay of the Constabulary to Rs.18/- and that until this has been generally accomplished, those constables now drawing pay and allowances in excess of this minimum figure would not be granted increases in pay. The allowances now drawn by them would be absorbed in pay and be thus gradually eliminated. I think this is a sound course to pursue: it seems to me inconsistent that in some cases constables should be drawing Rs.22/- or 23/- in pay and allowances while others are getting only Rs.13/- or 14/-, even if the additional pay necessary in "expensive areas" is taken into consideration. Life in Cities may be regarded as more costly than in rural areas but not to the extent the figures I have given would show: some margin may be allowed on this account when the minimum pay to all is being paid.

I have said above that quality can make up for quantity and this is true up to a certain point. There must, however, be a limit below which the Police force cannot be reduced and I think that when the reductions in numbers I have suggested above as being now feasible have been made, the limit will have been reached and further increases in the pay of the constabulary must be met, not by further reductions in numbers, but by increases in the budget. Thereafter, increases in numbers must be continuous to countervail increases in the population. Certain standards have now been attained as one Police Officer to every thousand of the population in rural areas & one to five hundred in Cities and these, I consider, should be maintained. The Police Budget must thus be one steadily increasing not stationary. This principle is recognized in the case of the Metropolitan Police Force of London (and, doubtless in many others) and an annual increase of 5% of the budget being regularly allowed for. The money may not be used but still it is provided to meet possible increases in expenditure. A like provision in the Police Budget of this State would mean the addition of one lakh annually and there can be no doubt that

such

such an increase will be needed for some years to come and that with it the force could soon be converted into an efficient implement with all its many present needs satisfied.

14. The preceding paragraphs I have adumbrated some further reorganisation of the force. While in the present report I do not propose to deal with ~~these~~ this in detail, an outline of them will be necessary to show how the funds for the reconstruction of the Inspectorat and Sub Inspectorate and for the re-organisation of the grades of Jamadar and Duffedar are to be obtained.

To meet immediate needs the proposal which has already met with the approval of Government, namely, the conversion of the majority of Prosecuting Inspectors into Sub Inspectors, will be pursued. In the matter of extending the jurisdiction of Inspectors, a cautious and experimental policy may be adopted, Inspectors for the greater part continuing to have the Taluk as their unit of jurisdiction and in a few cases only where the step may conveniently be taken, two taluks may be ~~ing~~ placed under one Inspector. In these conditions I doubt if Inspectors will generally have enough work to do, but the general extension of their charges may wait until as the Deputy Commissioner, Kadur District, remarks, "Capable and honest men" are available and the "Class improved".

In the cases of Sub Taluks which I have referred to in para 6 above, I will propose that Sub Inspectors in these areas be brought under the supervision of the Taluks Inspectors.

The increase in the number of Sub Inspectors which the first of these proposals will entail may be to a great extent met, firstly, by the elimination of superfluous Investigation Centres as has been suggested by the Deputy Commissioner, Bangalore District, and, secondly, by the elimination of Sub Inspector now in charge of Stores in District Police Offices and their replacement by clerks. This step is generally

approved

approved of and welcomed as an improvement.

Besides these measures it will be possible to slightly reduce the number of Jamadars and Duffedars while a certain number of constables will automatically disappear with the reductions in the number of Inspectors and Investigation Centres and the funds thus obtained will be adequate to finance the improved scales of pay for Inspectors, Sub Inspectors and Duffedars. The proposals outlined have been investigated and plans are ready for the presentation to Government as soon as it is known how far the various suggestions made in this letter meet with their approval.

15. There are two matters which I consider call for special mention. The first of these I have touched on at the end of para 6(ii) above in its relation to the Gazetted ranks. There I have said that selection should be the basis of promotion, making the remark general in its application. I think it very necessary that this principle should be held to apply to all grades since, hitherto, the principle of seniority regardless of merit has been generally followed with unsatisfactory results. With the scales of pay of different grades as poor as they have been heretofore, there may have been some cause for following this course, it being held undesirable to stop the promotion of any man however unworthy of advancement he may have been. But with the proposed improvement in the scales of pay, this inhibition will to a large extent be unnecessary and it should be possible, while paying every one what is, more or less, a minimum living wage, to advance only such officers who possess merit and character.

The second matter is that in course of time the unqualified and the incompetent have obtained places in all grades of the service in which their presence operates detrimentally to the general well being of the department and the service of Government. I would urge that in such instances - those in which incompetence and lack of character are universally recognised, and where the incumbent is approaching the age of superannuation - the right of prematurely retiring the officers be made use of.

16. The Police Training School is an institution which calls for improvement. For the moment there will be no need to recruit officers for the Inspectorate and Sub Inspectorate consequent on the restriction in the number of officers in these grades which is contemplated, but recruitment to them must eventually be reopened. I have pointed to the need for the continuous recruitment of officers for the Gazetted ranks and, further, a certain number of Duffedars will be regularly required. I have also obtained the sanction of Government to reduce the course of training for the Constabulary to 3 months in order that the very large number of untrained constables in the force may receive at least a minimum of instruction. This implies the intensification of their training and the practice must continue for some time to come till some sense of their duties is instilled into the majority of the members of the force.

On these accounts an efficient staff in the school is indispensible In a previous reference I have expressed my dissatisfaction with the policy pursued in this matter. The Principal's office is one of the first importance if the training is to be satisfactory, especially if the training of officers for the Gazetted ranks is to be undertaken and made efficient. At present an officer of the grade of Assistant Superintendent is in charge, but unless a really good officer of that grade is forthcoming, it may be necessary to search for a Superintendent who is fitted for the post. In the future when a number of Assistant Superintendents have been properly trained and have gained some practical experience, it may be possible to find one or more among them who is suited for the post of Principal, but until that time and unless, as I say, an efficient officer of that grade can be found, it may be necessary to place one of the grade of - Superintendent in charge of the School as was formerly the case, if that institution is to function effectively. It might be possible to do this by reducing the status of an existing Police District - such as French Rocks - to an Assistant's charge. What is essential is that a competent, capable and talented officer should be in charge of the training of recruits of all grades.

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For the subordinate staff, officers will have to be specially selected and I think it will be necessary to restore the Inspector who was eliminated last year, since it is proposed to increase the number of students so that the training of the constabulary may be accomplished more rapidly than is possible at present. There are now one Inspector and two Sub Inspectors on the staff with the numbers in the school rising, as is desired, to 120 for constables, besides the addition of some Duffedars - 40 are proposed at the moment - as well as of Gazetted officers and, hereafter, with the formation of a class for Inspectors and Sub Inspectors, the addition of a single Inspector to the teaching staff will be the minimum increase required.

There are three Drill Instructors attached to the School, one of them receiving an allowance of Rs.10/-. With the intensive training that will now be undertaken, the work and responsibilities of these officers will be increased and I would advocate the grant of allowances to the other two officers as well, say of Rs.7/- each.

17. It now becomes necessary to estimate the cost of the proposals that have been made.

Should the three posts of Assistant Superintendent be reconstituted as advocated, the cost for next year at the present rates of salary would be about Rs.15,000/- inclusive of establishments, travelling allowance etc. To introduce the increased scale of pay given in para 10 would imply for two Probationers, ten Assistants and 13 Superintendents the addition of Rs. 30,000/- to the budget next year on account of salaries and this sum would increase in successive years up to an average extra cost of Rs. 60,000/-. To add two officers of the grade of Deputy Inspector General at the rate of Rs.1,000/- each would cost, with establishments and allowances, Rs. 32,500/-. Thus the immediate additional cost necessitated by the addition of 3 Assistant Superintendents and 2 Deputy Inspectors General would, with the increase in salaries suggested, amount to Rs.62,500/- - a sum which would be

forthcoming

forthcoming were the monies saved and retrenched last year returned to the department: in fact, the total future cost of increasing the staff and salaries as suggested could thus be met.

Expenditure on these accounts is not sufficient to meet the needs of the department: there are buildings to be considered. A rough estimate of the cost of those required has been prepared and amounts of Rs. 66,00,000. Thus, supposing the expenditure called for were spread over more than 20 years, the annual cost must amount to 3 lakhs. The Government have accepted this policy in their Order No.P.1011-22 (1) Pol. 207-30-9, dated 15th August, 1931.

Flag I

In my report on allowances, I have said that all officers of and below the rank of Inspector should either be housed or be granted rent in place of the supply of free quarters, a proposition which I hope the Government will see their way to adopt. I have made an estimate of the cost which would be incurred on this account and allowing Inspectors Rs.15/-, Sub Inspectors Rs.10/-, Jamadars Rs. 7-8-0, Duffedars (& Jamadars and Naiks in the Provincial Reserve Police)Rs.5/- and Constables Rs.3/- the annual demand would amount to roughly 2 lakhs, making allowance also for the payment of rent to Assistant - Superintendents in Cities. For Duffedars and Constables alone at the rates mentioned, the cost would be 1½ lakhs or, were the rates reduced to Rs.3/- for a Duffedar and Rs.2/- for a constable, 1 lakh annually.

To sum up, the addition of 6 lakhs annually to the budget is called for - a large amount, no doubt, and one which it may not be possible to grant all at once. But it gives an idea of the needs of the department, for which I would hope Government will do their best to provide. As quarters are constructed the figure for rents would decrease and the sums thus gained could then be devoted to increasing the pay of the constabulary, a call which must be constant as it is at present urgent.

To

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18. To sum up the points of this report these may be summarised as follows:-

(i) Amildars: Station House Diaries to pass through these officers hereafter; but the Amildars to continue to function as an ex-officio Police officers and devote special attention to the Village Police.

(ii) Deputy Commissioners: These officers will continue as the Executive heads of districts with the Police force under their control and direction. They will also exercise appellate powers against the orders of Superintendents in the matter of departmental punishments with the power of dismissing Sub Inspector, until such time as officers of the grade of Deputy Inspector General are constituted, whereafter the control of the internal economy of the department will come under departmental supervision.

(iii) Deputy Inspectors General: Two officers of this grade are proposed : to be established as soon as circumstances permit.

(iv) Superintendents: It is proposed to give these officers increased powers of departmental control and to make them responsible for the discipline and general efficiency of the Force.

(v) Assistant Superintendents: The addition of three officers of this grade is proposed to assist in the supervision of the larger districts - Shimoga, Tumkur and Kolar - to obviate any want in control consequent on the relaxation of the authority of Amildars.

(vi) Salaries: An improved scale of salaries for Gazetted officers is proposed : It is also proposed to reorganise the Inspectorate and Sub Inspectorate, reducing the number in the higher grade and improving the pay and prospects of both. The amalgamation of the grades of Jamadar and Duffedar is also proposed with a graduated scale of pay, provision being made for only officers qualified for further promotion rising to the two senior grades, for the constabulary

a minimum pay of Rs. 18/- is suggested to be attained to gradually, the minimum pay being immediately raised to Rs.15/- by a reduction in numbers.

(vii) Promotion:- The suggestion that all promotions should be by selection is put forward for acceptance in principle and also for the elimination of the unfit by premature retirement.

(viii) Police Training School: The strengthening of the staff in quality and quantity is advocated in view of the greater importance to be hereafter attached to the training of officers.

(ix) Cost : The addition of 6 lakhs to the budget is shown to be necessary - 1 lakh for improvement of the salaries, 3 lakhs for buildings and 2 lakhs for rent.

I have the honor to be,
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE

CM.

S. O.

43

Government of his Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 6346-57—Pol. 207-30-29, dated 4th May 1932.

Police Department.

Passes orders on the proposals of the Inspector-General of Police on certain matters relating to the—

READ—

Government Order No. P. 1011-22—Pol. 207-30-9, dated 15th August 1931, sanctioning the reorganisation of the Police Department.

2. Correspondence ending with letter No. C. C. 19—31-32, dated 27th February 1932, from the Inspector-General of Police in Mysore, submitting further proposals in the matter.

ORDER NO. P. 6346-57—POL. 207-30-29, DATED BANGALORE, 4TH MAY 1932.

In the correspondence read above, the Inspector-General of Police has submitted proposals in respect of the following, among other matters, (1) the readjustment of the functions and powers of the Amildar, the Deputy Commissioner and the Superintendent of Police, (2) the reorganisation of the Inspectorate and the Sub-Inspectorate, (3) the amalgamation of the grades of Jamadar and Daffedar, and (4) the improvement of the pay of constables.

The scope of these proposals and the action to be taken thereon are indicated below :—

1. *Amildar's Powers.*—The place to be assigned to the Amildar in the heirarchy of Police Officials has formed the subject of fresh discussion between the Inspector-General of Police and the Deputy Commissioners of Districts and while opinion is divided as to the advisability of divesting this officer altogether of his Police functions, it is generally recognised that these functions are somewhat vague and theoretically too extensive to be efficiently performed by an officer with varied other duties. In this view the Amildar has already been relieved of the investigation of certain classes of heinous crime. Little advantage is said to have been taken latterly of the Amildar's power to inspect stations. And it is now proposed that police papers need not ordinarily pass through him with the exception of Station Diaries which would be sufficient to keep him informed of important occurrences and the state of crime in his Taluk. He may, however, continue to deal with financial matters relating to the Taluk Police, *e.g.*, pay and travelling allowance bills, the Inspector being at liberty to correspond direct with the District Superintendent of Police in all other matters. Government approve of these proposals but wish to point out that it will always be within the discretion of the Amildar to intervene in any important and emergent Police matters, by virtue of the general powers of control vested in him under Section 15 (2) of the Police Regulation. The powers of the Deputy Amildar will be similar to those of the Amildar, but the Station House Diaries will be submitted to him through the Inspector of the Taluk to which the Sub-Taluk is attached.

2. *The Deputy Commissioner and District Superintendent of Police.*—With regard to the Deputy Commissioner, it is suggested that while his statutory powers of control over the Police should remain unimpaired, it is both possible and necessary to relieve him of detailed supervision in regard to the internal organisation and discipline of the force. It is in particular recommended that, in the matter of punishment, he should act chiefly as an appellate authority leaving to the District Superintendent of

Police the initiative as well as the primary responsibility for dealing with questions of discipline. Government generally agree in this view and approve of the accompanying schedule showing the punishments which may be imposed on subordinate Police officers, the lowest authority by whom they may be imposed and the authority to whom appeals lie. It is needless to observe that while the Deputy Commissioner should normally refrain from interfering in matters of departmental discipline that lie within the competence of the District Superintendent of Police, he should not consider himself precluded from such interference on proper, but necessarily rare, occasions.

In this connection, it has been brought to the notice of Government that the present rule which confines direct correspondence between the District Superintendent of Police and the Inspector-General of Police to matters of routine has led to a variety of practice in the several districts, and has generally been productive of delay and inconvenience in the disposal of correspondence. Government consider that the District Superintendents should be allowed to correspond directly with the Inspector-General of Police and *vice versa* except on questions relating to the personnel of the Inspectorate and matters having a bearing on the maintenance of the public peace or the criminal administration of the district. Correspondence in regard to these and allied subjects should invariably pass through the Deputy Commissioner. A detailed list of such subjects may be prepared and submitted to Government for approval. It will of course be understood that the list can only serve as a rough guide and will not fetter the discretion of the Deputy Commissioner as to the range of the matters upon which he may specially desire to be kept informed or consulted.

3. *Reorganisation of subordinate ranks including Constables.*—The Inspector-General has recommended the introduction of the following revised scales of pay for Inspectors and Sub-Inspectors:—

	Inspectors.	Sub-Inspectors.
	Rs.	Rs.
1st Grade ..	150	80
2nd ,, ..	125	70
3rd ,, ..	100	60
4th ,, ..	nil	50

He is also of opinion that the grades of Jamedar and Duffedar might be merged into one and a revised scale of pay ranging from Rs. 21 to 35 introduced for the combined cadre. Such a scale would ensure an even flow of promotion to officers within the cadre and improve their chances, if found competent, of being appointed as Sub-Inspectors in due course.

With regard to the constables it is proposed to raise the basic pay to Rs. 15.

Government are of opinion that these proposals are generally suitable and are prepared to consider them favourably, if it is found that the extra cost on account of their introduction will be substantially covered by the savings expected as a result of the further reduction of the force which is under contemplation. The Inspector-General of Police is therefore requested to complete the details of his proposals both as regards improvements of pay and reduction of numbers and forward for the consideration of the Government a proposition statement duly verified by the Comptroller.

4. *Other Proposals.*—The Inspector-General's proposals cover a variety of other subjects such as the increase of the number of Assistant Superintendents, the improvement of the scales of pay of Gazetted Officers, the appointment of one or possibly two Deputy Inspectors-General of Police, etc., but as these are intended more as an indication of the lines on which the Department might eventually develop than as concrete recommendations for immediate adoption, it is unnecessary to deal with them on the present occasion.

The suggestions made in regard to the qualifications to be prescribed for the several grades of subordinate officers, and the proportion in which vacancies in these grades should be filled by promotion and by direct recruitment respectively, will be dealt with in passing orders on the detailed proposals called for above as regards the revised scales of pay for the several grades.

With regard to the improvement of the Police Training School, the Inspector-General is requested to address Government, separately.

File copy

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NO. P. 6346-57—POL. 207-30-29, DATED 4TH MAY 1932.

One other suggestion which remains to be noticed is that all promotions in the force should be by selection and that the unfit should be eliminated by premature retirement, if necessary. Government recognise the soundness of these principles and will be prepared to apply them whenever occasion arises.

Chief Secretary to Government.

To—The Inspector-General of Police in Mysore.
The Revenue Commissioner in Mysore.
The Deputy Commissioners of Districts.
The Comptroller to Government, through the Financial Secretariat.
The Compiler, *Mysore Gazette.*

Exd.—P. S. R. N.

No. P. 6346-57—Pol. 207-30-29, dated 4th May 1932.

APPENDIX.

Punishment of Subordinate Officers.

Statement showing the punishments which may be imposed on subordinate officers of the department and the lowest authority who can impose the punishment and the authority to whom appeal lies.

Officers punished	Punishment	Authority	Appellate Authority
	(1) Executive Officers.		
Inspector ..	Dismissal ..	Government ..	..
	Reduction ..	Inspector-General of Police. .	Government
	Suspension ..	Deputy Commissioner ..	Inspector-General of Police
	Reprimand and Warning ..	District Superintendent of Police	Deputy Commissioner
Sub-Inspector..	Dismissal ..	Deputy Commissioner ..	Inspector-General of Police
	Reduction ..	District Superintendent of Police.	Deputy Commissioner
	Suspension ..		
	Reprimand and Warning ..		
Subedar ..	Dismissal ..	Inspector-General of Police ..	Government
	Reduction ..		
	Suspension ..		
	Withholding of increment, reprimand and forfeiture of leave.	Assistant Superintendent of Police (Provincial Reserve Police.)	Inspector-General of Police
Jamedar ..	Dismissal ..	District Superintendent of Police.	Deputy Commissioner
	Reduction ..		
	Suspension ..		
	Reprimand ..	Assistant Superintendent of Police (in the case of Provincial Reserve Police.)	Inspector-General of Police
	Warning and forfeiture of leave.		
Daffedar ..	Dismissal ..	District Superintendent of Police.	Deputy Commissioner
	Reduction ..		
	Suspension ..		
	Forfeiture of leave, Black-mark.		
Naik (Provincial Reserve Police)	Dismissal ..	Assistant Superintendent of Police (Provincial Reserve Police.)	Inspector-General of Police
	Reduction ..		
	Suspension ..		
	Forfeiture of leave, Black-mark. ..		
Constable ..	Dismissal, Suspension, reduction, forfeiture of leave, deprivation of increment and Blackmark.	District Superintendent of Police.	Deputy Commissioner
	Punishment drill, extra guard duty, fatigue duty and warning.	Assistant Superintendent of Police.	District Superintendent of Police.
In the case of Constables Provincial Reserve Police.	As regards all the above items.	Assistant Superintendent of Police (Provincial Reserve Police.)	Inspector-General of Police
	2. Administrative Establishment.		
Manager .. Store-keeper in Chief Office.	Dismissal ..	Inspector-General of Police ..	Government
	Reduction ..	Headquarter Assistant to Inspector-General of Police	Inspector-General of Police
	Suspension ..		
	With-holding of increment or promotion, reprimand and warning.		
Managers of District Superintendents' Office.	Dismissal ..	Inspector-General of Police ..	Government
	Reduction ..	District Superintendent of Police.	Deputy Commissioner
	Suspension ..		
	Withholding of increment or promotion, reprimand and warning.		
Clerks ..	Dismissal, reduction, etc. ..	District Superintendent of Police.	Deputy Commissioner

WD 2967—GPB—345-5-5-32

GENERAL AND REVENUE SECRETARIAT,

Dated, Bangalore, ~~29th April~~ 1932.

D.C. 5558 (4) Taken

Dear Sir,

I ~~am~~ am desired to send herewith a Government Order ~~No.~~ for publication in the GAZETTE. As printed copies of the Order are wanted immediately for distribution I request you to be so good as to print them immediately and supply 20 unsigned copies and one hundred signed copies. ~~The~~ proof may be sent for approval before to-morrow evening.

Yours Sincerely,

TVV

P. Puttaiya, Esq., B.A.,

Superintendent, Government Printing.

Form VII

48

1932.

Department of Police

OFFICE of the I. G. of Police in Mysore

STATION Bangalore.

Enclosure No. I

to
I. G. P's letter
No. C.C. 19/31-32
Dated 27th February, 1932.

To whom sent	Date	Initial.
	Given for copying	
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	Examined	
	Signed	
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	Despatched	
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Pages in the file 9

(SUBJECT.)

Note on Reorganisation proposals

Inspector General's ——— Sent to

Deputy Commissioners of Districts

for their opinion

...ed in the office in this case of previous record...

Enclosure I
69

Office of the Inspector General of Police in Mysore,

Dated Bangalore, the 18th February 1932.

N O T E

A proposal was made to Government to extend the jurisdiction controlled by Police Inspectors beyond the limits of a single Taluk. The principles underlying this proposal were firstly, that, at present owing to the paucity of Crime, Inspectors have insufficient work and responsibility and, with the reduction in the number of posts proposed in the re-organisation of the Police of the State, their work would be further increased and secondly, that with a reduction in the number of Inspectors the pay of the grade might be increased and salaries paid commensurable with the dignity of these officers and more suited to their enhanced status.

A second proposal was made - namely - to institute one or more officers of the grade of Deputy Inspector General of Police intermediary between those of the Inspector General and District Superintendent of Police, for the purpose of relieving the Inspector General of routine inspection work and taking over and coordinating the investigation of Crime and the supervision of Criminals in districts, as well as relieving Deputy Commissioners of purely departmental work, such as discipline, promotions, the grant of leave to and controlling the itineration of the Police subordinate to them.

In dealing with these proposals the Government have written "that these proposals will result in Amildars ceasing to be the Head of the Police in the Taluk and the Deputy Commissioners having no departmental control over the District Police" and desired that the proposals be further examined after consulting the Deputy Commissioners

of

of Districts for their opinions.

In accordance with these directions this note has been prepared for the information of Deputy Commissioners and with a view to obtaining the expression of their views on the proposals. For their information I will endeavour to explain the import of the suggestions made. I may say at the outset that the limitations imposed on the Police and the nature and extent of the control to be exercised by Deputy - Commissioners and Amildars by the Mysore Police Regulation No.V of 1908 need not be held to limit the discussion of the proposals, since any matter repugnant to the terms of that Regulation which may issue therefrom may, by alterations in the provisions of the law, become consonant with it.

First, to take the case of Amildars - the present powers of these officers are defined in clause (2) of Section 15 of the Regulation mentioned, whereunder Amildars are Ex-officio Police Officers within their revenue charges and have general control over the Police, are responsible for the prevention and detection of Crime and the maintenance of order within their charges, while the Inspector is subject to the general control and direction of the Amildar.

Such expressions as 'general control' are vague and may indeed, in the light of what has occurred, must, be open to a variety of interpretations. So far as the Police Manual is concerned the terms of the law are translated in Rules, 28,60 and 108. In the first of these the Amildar is authorised to grant leave to Duffedars, the second provides for the Amildar's scrutiny of the Inspector's diaries while the last imposes on the Amildar the duty of inspecting Police Stations twice annually. In the face of these orders the powers over the Police assumed and the tasks regarding the supervision of Police work taken upon themselves by Amildars are surprising. As a general practice all papers passing between the Inspector and the District

District Superintendent of Police are scrutinised by the Amildar and in perusing them he may pass remarks on the files, make recommendations as to punishments and give directions as to Crime. He also countersigns the pay bill of the Taluk Police. Much of the scrutiny actually effected by Amildars is of a routine nature and of little value save as an expression of his supremacy over the Police.

The practice though usual is not universally enforced : there are significant exceptions to the general rule as in the Bangalore City and Taluk and the Bowringpet Taluk where the control of the Amildar over the Police in the manner above portrayed has been definitely excluded under the orders of Government.

It does not appear, therefore, in the first place that scrutiny of all papers pertaining to the department is made under any authority: it would appear, rather, to be a practice that has grown up and become established - one might on the facts assert that this show of authority has been usurped. It has to be considered whether, apart from the assertion of the Amildar's supremacy the custom is of practical utility.

Such supervision as the Amildar exercises over police work is, as has been said, largely of a routine nature and is of little real value. His scrutiny of papers of a purely departmental nature would appear to be as entirely unnecessary as it is unwarranted, since he cannot pass orders thereon and, at best, can only make recommendations, their passge through his hands serves only to delay the disposal of department work. The causation of delay extends likewise to the more important matter - reports of Crime - and acts as an obstruction to the supervision of Crime by the District Superintendent of Police. Hitherto the duty of investigating cases fell within the province of the Amildar but this practice is now in abeyance. Few Amildars indeed, are competent either to investigate or comment on the investigation of Crimes: such matters are beoming steadily more technical and -

specialised

specialised while for his part, the Amildars duties are constantly being multiplied leaving him no time to devote to the perusal of Police Reports. Further, not only does the passing of such reports through the Amildar delay their transit but tends also to render public confidential matter recorded in them.

There is one direction in which the Amildar can exercise general control over police work namely, by his inspection of police stations. This he is not only authorised but ordered to do: yet he does not always avail himself of the privilege. It seems to me that he would better exercise his supervision over police work by carrying out this duty than by a routine scrutiny of departmental reports which scarcely helps him to assume his responsibility for the prevention and detection of Crime and the maintenance of peace within the limits of his jurisdiction. By these inspections he could gain a knowledge of the Crime of the Taluk and by the perusal of the Inspectors General Diary he would be kept informed of what is occurring in his limits and the work that is being done by the Inspector.

A complication would, of course, arise were the Inspector placed in charge of an area greater than a Taluk when he would have to deal with more than one Amildar but this would easily be overcome by the submission by the Inspector of duplicate General Diaries.

A great deal has occurred since the existing system was established and since Regulation V of 1908 was enacted, much, I may say, that the framers of the enactment did not foresee. The state of affairs which that Law may have suited has greatly altered: the Police can no longer act as isolated units and confine their outlook to the borders of a Taluk though, of course, the Amildar may, obsessed as he is with his revenue and other work of a purely local nature. Is it not appropriate to recognise that times have changed and to look the facts in the face? Does the control of the Amildar operate

beneficially

beneficially on police work and not hamper it and would it not be better to permit of the supervision of the District Superintendent of Police (or Assistant Superintendent of Police) becoming closer by eliminating the interposition of the Amildar? I think it may be stated as axiomatic that the control of the Amildar has become less real and more a formality with the passage of time and that the Amildar, owing to the methods of his selection, has become less competent to supervise the work of the Police. It has also been recognised that the intervention of the Amildar is not a necessity in certain cases; why then, should it be so in others? If the contrary contention is that the Police Inspector as a class is constructed of inferior clay and is unfitted for emancipation the obvious reply is that the sooner he is made fit the better. The present system tends merely to deprive him of responsibility, self reliance and self respect; the proposal made will permit of the elimination of the unfit while granting the fit greater responsibility and by increasing his emoluments, confer upon him a sense of dignity and self respect. If it is held that under the present system a class of Inspector has been produced which is untrustworthy and irresponsible, why perpetuate the system?

Turning now to the case of Deputy Commissioners the Regulation defines his position and powers in a variety of sections. The principal of these (Sec.14) runs:-

Subject to the general control of the Inspector General, the Deputy Commissioner shall be the head of the Police of his district and shall, as such, direct and regulate all matters connected with the efficient discharge of their duties by the Police Force of his district.

Section 16 permits of the Deputy Commissioner making such distribution and movement of the Police Force allotted to his district as may be necessary.

Section 26 authorises the Deputy Commissioner to punish any officer

officer subordinate to the District Superintendent of Police subject to certain limitations while Section 27 makes appeals from the punishment orders of District Superintendents of Police lie in the first instance to Deputy Commissioners.

To hark back - under Rule 9 (2) Deputy Commissioners may appoint Jamadars in his district. The Deputy Commissioner has certain limited powers in respect of the grant of leave to police officers. The

The general position of the Deputy Commissioner with respect to the Police is further explained in Rule 27A (1) in the Police Manual as follows:-

The Deputy Commissioner and District Magistrate, as the Chief Executive authority in the district, is primarily responsible for the maintenance of law and order and the efficient administration of the district and it is the duty of the Superintendent of Police to keep the Deputy Commissioner and District Magistrate fully informed both by personal conference and special reports of all matters of importance concerning the peace and tranquillity of the district and the state of crime and progress of criminal trials and their results.

Clause (2) of the same rule provides for the inspection of District Superintendents and Assistant Superintendents offices once a year. By Rule 27 he may grant leave to Inspectors.

I must refrain from making further quotations in matters of less importance, since this note is already running to greater lengths than I ever anticipated it would. But Rule 29 defines the relative positions of Deputy Commissioner and District Superintendent and must be quoted for purposes of comparison. Under it - the Superintendent is the Deputy Commissioner's Assistant for police purposes and it is his duty to keep him fully informed of the cases of crime in the district by personal conference as well as by the usual reports. The Superintendent

should

should at once communicate to the Deputy Commissioner all news of importance and take his orders on any important matter concerning the peace of the district.

The only other matters I have to refer to are the limitations imposed by Section 26 of the Police Regulation upon District - Superintendents of Police in the matter of discipline which are restricted to the punishment of officers below the rank of Sub Inspector and the restrictions imposed by Section 15 on the matters regarding which a District Superintendent of Police may correspond directly with the Inspector General.

The proposal to institute one or more Deputy Inspector-General implies the transfer to him (or them) from the purview of the Deputy Commissioner of all purely departmental matters i.e., punishments, appeals, appointments and leave, with which, as it appears to me, it is unnecessary for the Deputy Commissioner to deal. With the - institution of the grade of Deputy Inspector-General (or even without it) the powers of District Superintendents of Police to deal with such matters could be increased, these powers being defined and limited. At present as the rules stand the only authority who may punish a Sub Inspector is the Inspector-General - a very unnecessary limitation which prevents a District Superintendent of Police from maintaining discipline within his district. This as an instance. At the same time the position of the Deputy Commissioner in respect of the district police would in all essential matters remain unaltered. The position of the Deputy Commissioner and the District Superintendent of Police might be defined as follows :-

The District Magistrate, as chief executive authority in the district, is primarily responsible for the maintenance of law and order and the criminal administration of the district, and, for these purposes, the police force is under his control and direction. The Superintendent is the District Magistrate's assistant for Police purposes and it is his duty to keep the latter fully informed, both by personal conference and special reports, of all matters of importance concerning the peace of the district and the state of crime. In important matters of the above nature he should take the orders of the District Magistrate.

Magistrate. It is his duty to inform the District Magistrate confidentially of any suspicious conduct on the part of the subordinate Magistracy.

If the District Magistrate, for any special reason, considers that a police officer of and below the rank of Sub Inspector should be transferred from a particular locality or from any special duty, he shall call upon the Superintendent to transfer and replace him, and it shall be incumbent upon the Superintendent to carry out such orders.

In the case of a police officer above the rank of Sub Inspector, the District Magistrate may address the Inspector-General with a view to the officer's transfer.

The District Superintendent of Police is the head of the district police force. He is responsible for all matters relating to its internal economy and management, for the maintenance of its discipline and the punctual and regular performance of all its preventive and executive duties.

It will be seen that the position of the Deputy Commissioner as outlined in the first two of these definitions would not differ from that defined in Rule 27A of the Police Manual. The District Superintendent of Police would be his assistant in matters regarding the Police and the former would continue to exercise through the latter full control of the disposition of the Police Force in his District. The alterations that would be effected by the last definition would make the District Superintendent of Police responsible for the internal control of the Police Force, its discipline and the correct performance of its duties, while relieving the Deputy Commissioner of the task of dealing with punishments, leave and promotions to the rank of Jamadar. As regards this last matter it has to be said that the present system works inequitably, Daffedars in one district being promoted in advance of men their seniors in others. The grade, if it is to be continued, should be treated an a State basis and promotions to it regulated centrally. As a matter of fact, this grade is somewhat of an anachronism being a relic of the transition stage from the old grade of Investigating Officer who has been displaced by the Sub Inspector and its abolition is contemplated, the idea being to substitute a grade intermediate between Daffedars and Sub Inspectors by combining

senior

senior Daffedars with Jamadars to be a training ground for the Sub-Inspectorate and providing a graded scale of pay above that of Daffedar and below that of Jamadar.

That, however, in the womb of the future: for the present we are concerned with the position of the Deputy Commissioner in respect of the Police of his district. By the definitions propounded I do not think the position of the Deputy Commissioner would be radically altered: the only change would really be that he need no longer concern himself with the internal management of the Force. This would be left in the hands of the District Superintendent of Police whose powers in these respects would be enhanced and be subject to departmental control.

INSPECTOR GENERAL OF POLICE.

CM.

Form VI]

1932.

Department of Police

OFFICE of the I. G. of Police in C,

STATION Bangalore.

Enclosure No. 11
to
I. G. P's letter
No. C.C. 19/31-32
Dated 27th February, 1932.

~~To whom sent~~ | ~~Date~~ | *~~Initial~~*

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~~Examined~~
Signed
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(SUBJECT.)

Note on Re-organisation [illegible]
Letter from the Deputy Commissioner, Jun Kar Distt
in reply to the Inspector-General's

~~Not to be filled~~ in the case of permanent records.

Enclosure II

29

Letter No. J.G.C. 1442/31 dated the 21st October, 1931, from the Deputy Commissioner, Tumkur District, to the Inspector General of Police in Mysore, Bangalore.

Subject:- Certain reorganisation proposals connected with the Police Department.

With reference to your No.C.C.19/31-32 dated 16th September, 1931 on the subject noted above, I have the honor to state that I agree with most of the remarks made therein about the present-day relationship between the Amildar and the Inspector. The supervision exercised by the former is mostly of a routine character and as such it has no real value. As regards the investigation of offences, it is very rarely that an Amildar investigates a case. This is now practically in abeyance. Moreover, most of our Amildars have not had the necessary practical training for the same. Under the Police Regulation the Amildar is only an ex-officio Police Officer within his revenue jurisdiction, the Inspector being the executive head of the Police within the same area. Much of the work of an Amildar in Police matters is only that of a Post Office. The present proposals of the Inspector General involve a complete severance of the connection between the Amildar and the Inspector. If they are given effect to, Section 15 (2) of the Police Regulation and the relevant rules in the Police Manual will have to be suitably modified. It is not quite clear from the note if each Inspector after reorganisation, will be placed in charge of two or more revenue taluks and if so, whether the taluks will be in the same District. If not whether the State will be divided into Police Circles irrespective of the limits of Districts and Taluks is not also apparent.

As regards the second point in the note viz. the relief to be afforded to the Deputy Commissioner in matters of internal economy of the Police force in the District, I am in general agreement with the views put forward

forward by the Inspector General in the communication under reply.

COPY

Inspector General of Police.

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1932.

Department of Police

OFFICE of the I.G. of Police in Mysore.

STATION Bangalore.

Enclosure No. III
to
I.G.P's letter
No. C.C. 19/31-32
Dated 27th February, 32.

To whom sent	Date	Initial.
	Given for copying	
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	Signed	
	Given for despatch	
	Despatched	
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(SUBJECT.)

Note on Reorganisation proposals

Letter from the Deputy Commissioner, Mysore District

in reply to the Inspector General's

To be filed in the case of permanent records.

Enclosure III

Letter No.G3-449-31 dated the 19th September, 1931, from the Deputy Commissioner, Mysore District, to the Inspector General of Police in Mysore.

With reference to your No.C.C.19/31-32 dated 16th September 1931 re: the note on certain proposals, I have the honor to state that I have gone carefully through the note referred to and to state that I fully agree with you in the view that the investigation of crimes is becoming highly technical and that the Amildars have neither the time nor the training generally to serve as useful guides to the Investigating Officer in that respect. The supervision they are called upon to exercise is of a most superficial and routine kind and as rightly observed by you has the effect of only delaying papers. I know it by experience that Amildars, except very rarely have hampered in investigation of a case more than helped it in cases in which they took some interest and in other cases allowed the Investigating Officer to have his own way even though they knew he was proceeding on wrong lines. As Inspectors recruited now are as a class higher than those both in character and capacity than in the olden times, I do not think that there will be any falling off in the standard of the Taluk Police work if the Amildars' duties conveyed by the expression "General Control" are strictly defined and his control confined to the scrutiny of the Inspector's General Diary and the inspection of the stations. We have to recognise the headship of the Amildar over the Taluk Police as otherwise the Village Head of Police, the Patels will not be amenable to any discipline. In any case, it is always open to the Amildar to bring to the notice of the District Superintendent of Police any material irregularity on the part of the Inspector that might have come to his notice.

As to the powers of the Deputy Commissioner over the District Police, personally I am not averse to the transfer to the District Superintendents of Police of his powers in purely departmental matters, punishments, appeals, appointments etc. I quite recognise the force

of

of the contention that in a provincial cadre, promotion should not go by Districts; but this could be obviated by the maintenance of a gradation list and the promotion being given according to that and the Deputy Commissioners being directed to confine their recommendations accordingly. As long as the Deputy Commissioner has confidence in the balanced judgments of the District Superintendents of Police, it is unlikely that he will interfere with the punishment given by the District Superintendent of Police. I was a District Superintendent of Police myself for ten years and I do not recall any incident where there was any difference of opinion in this respect between me and my Deputy Commissioner; but I consider it advisable that the Inspector-General of Police or the Deputy Inspector General of Police should have the benefit of the opinion of the Deputy Commissioner also in the matter of punishments as comparatively speaking he has better opportunities of coming in contact with the work of a Police Subordinate and the mark he has made amongst the people. It is not unlikely that the Deputy Commissioner may act as a check on the aberration of the District Superintendent of Police and his personal whims in punishing his subordinates out of all proportion to the nature of the lapse.

COPY

Inspector General of Police.

Form VII

1932.

Department of Police

OFFICE of the I.G. of Police in Mysore.

STATION Bangalore.

Enclosure **No.** IV

to

I. G. P's letter

No. C.C. 19/31-32

Dated 27th February, 1932.

To whom sent		Date	Initial.
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(SUBJECT.)

Note on Reorganisation proposals.

Letter from the Deputy Commissioner, Kadur Dist. in reply to the Inspector-General's

Not to be filled in the case of permanent records.

Enclosure IV
65

Letter No.L.Dis.1059-31 dated the 5th October, 1931, from the Deputy Commissioner, Kadur District, to the Inspector General of Police in Mysore.

Adverting to your letter No.C.C.19/31-32 dated the 16th September, 1931, enclosing for my opinion, your note on certain proposals regarding the extension of the limits of the jurisdiction of Police Inspectors beyond those of a single taluk and the relationship between the Inspector and the Amildar etc., I have the honor to state that though I am unable to agree with all that is stated in the note as regards the Amildars, yet it is true that the powers exercised by them over the Police are of a nominal character. I have therefore no objection to the Amildars being relieved of all their Police functions and powers. The District Superintendent of Police can exercise direct control without the Amildar's intervention, over the Inspectors. But I must emphasize the need of appointing only capable and honest men as Inspectors as it is my experience that several of our Inspectors now are not quite up to mark and want close supervision.

2. As regards extending the jurisdiction of the Inspectors, I consider that it is best to leave the Taluk as a unit as at present, unless the Class of Sub Inspectors is as a whole improved.

3. With regard to the proposals relating to the Deputy Commissioners, I am sorry I cannot agree with you. Though the Deputy Commissioner is the head of the Police of his District he does but rarely interfere with the District Superintendent of Police in matters of routine. It is only correspondence of an important nature that passes through him. If the powers of the District Superintendent of Police regarding punishment and discipline are found to be inadequate, they may be enhanced. But even then the Deputy Commissioner should have powers of appeal and revision.

With

4. With regard to the appointing of men to the Daffedari grade and questions relating to leave and promotion to Jamadars, it makes no difference whether it is the Deputy Commissioner or the District Superintendent of Police that deals with those questions, so long as the District is the unit. I am not in favour of treating the Daffedari grade on a State basis. The District should, in my opinion, be the unit so far as the Daffedari appointments are concerned.

COPY

Inspector General of Police.

Form VII

67

1932.

Department of Police

OFFICE of the I. G. of Police in Mysore.

STATION Bangalore.

Enclosure No. V
to
I. G. P's letter
No. C. C. 19/31-32
Dated 27th February, 1932.

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(SUBJECT.)

Note on Re-organisation proposals in
Letters from the Deputy Commissioner, Kolar District,
in reply to the Inspector General's _____

Not to be filled in the case of permanent records.

68 Enclosure V

Letter No. J.1.C.257/31-32 dated 3rd November, 1931, from the Deputy Commissioner, Kolar District, to the Inspector General of Police in Mysore, Bangalore.

In reply to your letter No. C.C. 19/31-32 dated 22 2nd November, 1931, I have the honour to state that I have requested the General Secretary to ~~xxx~~ Government to send me the discussions leading to the Mysore Police Regulation for reference in this connection.

I shall send my opinion after I get the references and study them, as I have heard from senior officers the same suggestions were made then by Mr. F.E.C. Carr and were vetoed by the Government after discussion.

"Copy"

INSPECTOR GENERAL OF POLICE.

Letter No. D. Dis. J.1-C.257/31-32 dated 26th November, 1931, from the Deputy Commissioner, Kolar District, to the Inspector General of Police in Mysore, Bangalore.

In continuation of my letter No. J.1-C.257/31-32 dated 3rd November, 1931, and with further reference to your letter No. C. C. 19 dated 16th September, 1931, I have the honour to send enclosed copies of letters addressed by the late Mr. K. Doraswami Iyer, when he was Deputy Commissioner, Tumkur District on suggestions similar to yours made by Mr. F.E.C. Carr, the then Inspector General of Police.

I am of the opinion that conditions have not materially changed since, to justify a change in system. In my opinion, the future development of Government in Mysore and in India will be in the direction of greater local control by an officer of the Deputy Commissioner's type over all Departments, an elected Councils of non-officials being associated with him for deciding matters of local policy or questions which have excited considerable public interest or comment locally. Any relaxation of control now existing in the hands of Deputy Commissioners and Amildars as representatives of the Government in the District and Taluk respectively is fraught with grave dangers. Local control is better informed and more effective than distant check by reports and returns.

"Copy"

INSPECTOR GENERAL OF POLICE.

Memorandum submitted to the Police Commission upon the I.G.P'S PROPOSALS

I shall confine myself to some of the more important issue raised by the Inspector General of Police. It is said that "the superficial, perfunctory and ill-regulated interference of Amildars retards rather than assists Police investigations" and it is said also that the percentage of cases investigated by the Amildars is always small. No doubt it is impossible for the Amildar amidst the many calls upon his time to give any more attention than now to Police Investigations but it must be remembered that he is required to enter upon the investigation of specified classes of offences that are to be directly investigated by the Superintendent of Police. The Superintendent naturally supersedes the Amildar and there lies the reason for the small percentage of direct investigations by Amildars. With regard to the other statement Given an Amildar who is persistently guilty of retarding Police investigations by "superficial, perfunctory and ill-regulated interference I would ask if the Deputy Commissioner would not be to blame in the matter and if he should not be asked to resign his post if he finds himself inefficient to check the vagaries of his subordinate. But fortunately of such Amildars the number is very small - so small as to be - nothing for all practical purposes. The fault if any lies with the individual and not with the system - a condition of things calling for a change of the personnel rather than of the system. Very few Superintendents and Inspectors would be able to deny the material help and sound advice that they have derived times out of number from the willing co-operation and the extended knowledge, influence and resource of our Amildars.

2. It is argued that as the headship of the Taluk Police is vested in Amildars, the Inspector is divested of "that feeling of direct responsibility without which no officer can do really useful work". I would

would pursue the arugment a little further and ask if the Jamadar is expected to do some "useful work" and if he is, how he is to retain "that feeling of direct responsibility" which is considered so essential, if the headship is not to rest with him but with the Inspector?

3. It is thought that the present system gives the Amildar and Inspector a chance to join hands and work to a bad end. It seems to me that the personality of an Amildar intervening between the Inspector and the Superintendent is an essential factor to ensure fairplay and justice to the public. However, why give occasion for such a contingency as is feared by the Inspector General of Police by leaving such erring individuals together in a Taluk? Why not invest a Deputy Commissioner with authority to transfer his Inspectors from Taluk to Taluk and maintain a proper balance of head, heart and temperament in every Taluk? But it seems that their transfers should rest with the Provincial Head of the Department, because it seems that their transfers might have to be from District to District! There would always be something very peculiar with an Inspector if some one of the 8 or 10 Taluks of a District should not suit him. There is no necessity in my opinion to keep such a wide range of some 60 taluks for so small an official as an Inspector of Police.

4. Referring to the inconvenience that is said to be caused to parties and witnesses by having to go to another Magistrate by reason of the local Magistrate having exercised Police functions I have only to point out that such instances are rare because of the more serious cases that call for the Amildar's guidance or personal investigation being frequently first class or committal cases and the less serious offences being investigated wholly by an Inspector, Jamadar or Station House Officer.

5. An Amildar's first concern is the well being of the ryot. He is not a mere Collector of Revenues or a Report-writing machine. Not infrequently

infrequently is he called upon to play the role of an unofficial adviser to the people in some of their immediate and intimate concerns. In order to be sought for help, consolation or advice he should be able to impress the people with confidence in his broad-minded sympathy and uprightness. As much of his success as a Taluk Administrator would depend upon how he impresses the public kind, he may not permit himself any vagaries that might detract from his good name - at least not to a fraction of the extent to which a Police Inspector can and may. An Inspector's concerns in the Taluk are infinitely more limited in their scope. He has his cases and his investigations. He has his percentage of convictions to obtain in order to mark himself for preferment in the eyes of his superior officers. Honest though he may start, the narrowed groove of thought and action - as compared to an Amildar's - to which he is committed by the nature of his work must in course of time tell upon his very habits of thought and lead him unconsciously to incorrect thinking and acting. I am comparing of course the best specimens of the two classes. No doubt there would be a Superintendent of Police to administer the necessary correction to an erring Inspector but it should be hopeless for the Superintendent in his own proper person to supply the wholesome check and influence for good that are to be found in the mere name of Amildar.

6. An Amildar's knowledge and estimate of the various classes and communities of his Taluk and their varying temperaments are more extended than an Inspector's and further in his important functions of Revenue officer and Magistrate he has a mind trained to higher thinking and is better able than a mere Police Officer to detect the weak points in a Policeman's theories of crime and the artificial links in the chain of evidence relied upon to support a given theory. The happy results of the Inspector's subordination to the Amildar are evidenced every day by the considerable curtailment in the number of false cases going to the magistracy through the Police and in the speedier termination to the innocent accused's worries and anxieties.

When

When there occurs a miscarriage of justice especially one resulting in the conviction of an innocent person the people lay the blame more readily upon the Amildar than upon the Inspector or Superintendent because of their belief that the good and the innocent are his special care and protection. With many honourable traditions attaching to his office and with his acknowledged position in the Taluk, the Police interests of the State are best confided to his efficient yet sympathetic hands if those interests are to continue to be identical with the welfare and happy content of the good and loyal citizen.

7. The drawbacks in our present system are few and fanciful but those that will attend the change advocated by the Inspector General of Police will be simply appalling. In no unccertain terms did some of the Representatives express themselves about it at the last Assembly. The hour that marks the transfer of headship of the Taluk Police from the Amildar to the Inspector will toll for Mysore the knell of the happy immunity from Police oppression which her sons have long reckoned as a precious gift and blessed inheritance.

8. Another important element which would emphasize the necessity for continuing the Amildar's Police functions lies in our system of Village Police the arguments in favour of which have been threshed out more than once and are too well recognised to need any elaboration at my hands. The intrinsic worth of that system at its every phase is apparent to all.

9. The foregoing arguments apply also in favour of the Deputy Commissioner continuing as the Chief Executive Head of the District Police. Of the arguments advanced against it by the Inspector General I shall discuss only one or two. It may be impossible for a Deputy Commissioner to attend personally to the details of the daily routine of the Police, Forest, Excise and other Departments; but Government have recognised it and given the Deputy Commissioner a responsible Assistant for each of the Departments and made it quite possible

possible for him to supervise efficiently the work of those Departments. There seem to be no complaints from other departments about a Deputy Commissioner's "overwhelming work and paralysing delays".

10. It would appear that the present system has brought about some "most suprising results" in the matter of requisitions "for a constable's buttons" ! Why not maintain an adequate supply of usual requirements at each District Head Quarters? Surprising results would seem to have occurred also in the matter of correspondence. The correspondence that is alluded to as "clearly demonstrating the disastrous and paralysing effects of the present system when applied in its literal and naked deformity" - ought to be placed before the Committee for their judgment. There was no "inappropriate or insubordinate language" used by the Superintendent to the Inspector General. The Police Superintendent did nothing that would convict him of an "inexperience of the usual official etiquette".

11. I cannot grant that the Excise Department is not more technical than the Police. Where is the peculiar technicality of the Police Department to a Magistrate?

12. It is said that "the present system places District Superintendents" and Assistant Superintendents of Police in an unnecessarily false position. They are between the devil and the deep sea; if they look to the Inspector General as the Head of the Department they run the risk of incurring the displeasure of the Deputy Commissioner of the District; and if they ignore the authority of the Head of the Department they are in still worse plight". If such a case has occurred it is not the fault of the system. The system has worked all right. If any innovation was attempted and thereby a Superintendent was dragged into a false position it is the innovation that should take the blame. To set at nought a well-established system and one recognised to have worked admirably and in addition to attribute to it many fancied failings must be reckoned as positively unjust to the system itself and to those who orginated it as well as to those who continued it.

Letter to the Police Commission dated the 5th December, 1904.

The Inspector General of Police had kindly sent Deputy Commissioners copies of his letter to Government and his supplementary memo

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Turning over the monthly volumes of Government Proceedings I have discovered Order No.9118-28/J. 508-92 of date the 11th December 1892, thirteen months subsequent to the order from which the Inspector General has quoted in his present and former memoranda. There have arisen no causes to justify a cancellation of that order or even so much as a reconsideration of the principles discussed and fixed in it. By a strange coincidence my memo of the 19th ultimo argued the question on much the same lines and I take that as showing that some others too might similarly view it. "The opinions expressed by responsible officers from time to time" were all there and considered by a responsible Government when issuing their order of the 11th December, 1892. "The questions raised are of the gravest importance" but they had been raised before and failed to convince Government of the benefits of the change. One has only to step across the border to see what an important personage a small Police Constable is in the Madras villages. It is notorious that that importance is not gained by any prominent feature of honesty or good conscience in the constable. I was some 8 years in a District with an extensive Madras frontier and can claim to speak with some authority on the subject.

No doubt the cry everywhere is for a separation of the kind suggested by the Inspector General but that cry and the reason for it have to be carefully considered. It is urged that "it is incumbent

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on a Government which prides itself on being in the forefront of enlightenment and progress to carry out reforms which have been in operation for 40 years in British India and which at no additional cost to the State will bring the Mysore Police Administration into line with that of the British Provinces". But we are therealready - in the forefront. With a Police Administration upon a totally different basis obtaining in Madras side by side with ours why was it that we did not follow Madras if a real reform it was so to do. It was not that our Government did not consider the Madras system in its various aspects or were apathetic towards introducing a wholesome reform in a department so intimately concerned in helping the magistracy to uphold the law of the land and assure the peace and happiness of the country. If we adhered to our system it was because we were not convinced of the benefits of the other. It must ever remain an amazing anomaly that a body of men who owe their very existence to the Code of Criminal Procedure and are in every sense of the term the servants of the magistracy to the total exclusion of other masters in the discharge of their duties under that Code should have to look to those other masters for approbation or censure in the discharge of those duties. This dual control exists to a less extent in Mysore than in the British Provinces by reason of the Police functions of our Deputy Commissioners and Amildars. The cause of "enlightenment and progress" would point to a further lessening of the dual control by a transfer to the magistracy of the powers now exercised by persons outside that body. The preventive and punitive functions of the Magistrate would then be better exercised. A system which has worked well through successive years and stood the test of time showing year in and year out that it secured best the happiness of our people may be safely relied upon to work equally satisfactorily and to the same result in succeeding years.

Referring to the other closely allied question : I am at one with

with all those who hold that justice pure and true should alone emanate from the seat of judgment and that the laws of thought and inference which have been enacted to secure that end should be held sacred and inviolable. A Judge's mind should be kept free from all bias, from all information that might be coming in other ways than are enjoined by the [redacted] laws of Judicial Evidence. These principles are in no way interfered with by our system of Police Administration for, a District Magistrate or a Taluk Magistrate who has had to do with a case on the Police side need never try it himself; and he does not; we have a sufficiently large number of other Magistrates in a District. Where then lurks the darkness and whence the need for the light to dissipate it.

A paper taking a roundabout course by having to go through a Deputy Commissioner may be displeasing to some Heads of Departments. Their standpoint is so widely different from ours and that is just as it should be. They have their office and its routine, their zeal for punctuality, their departmental income and expenditure and other matters of peculiar but necessary concern to the Headship of a State Department. To a District Officer with the entire District as his office there are the drought and the flood and the famine, murders and riots and dacoities, the plague and the Cholera, the Revenue for the Government Exchequer and the ryot's disinclination to lighten his own, the helplessness of the poor and the obstructiveness of the well-to-do and occasionally the dense ignorance of both, the ever increasing reports and statements and returns of varying kinds variously compiled from all manner of statistics collected from all parts of the District, the never ending tappal from Amildars and Deputy Amildars and from Revenue Forest, Excise Police and Treasury Assistants and other officers in the District and from about a dozen Heads of Departments in Bangalore and above all the incessant anxiety in every direction from many conflicting causes and ramifying details - all tending to make our cares and responsibilities more akin to those of the Head of the Administration and to be best appreciated and sympathised with by him.

To

To the Deputy Commissioners it would be a welcome relief to be divested of the charge of Police, Forest, Treasury etc., departments but the interests of the Departments in some cases and in others the interests of the people might suffer. No departmental Head can hope to secure to the officers of his Department anything like the prestige which their subordination to the Head of the District brings them; and to the Heads of Departments themselves there is a substantial accession of importance in the eyes of the public by being connected with Deputy Commissioners. As Assistant Commissioner and Sub Division Officer I had noticed this upon occasions without number.

I had had to explain my reasons against the Inspector General's proposals at some considerable length lest I might be thought to be personally anxious to continue at the Head of the District Police. It is just as well perhaps that the Committee should have before them all views for and against the proposals whatever their intrinsic worth.

"Copy"

Sd. A.V.Ramanathan.
26-11-1931.

COPY

Inspector General of Police.

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Form VII

1932.

Department of Police

OFFICE of the I. G. of Police in Mysore.

STATION Bangalore.

Enclosure No. VI
to
I. G. P's letter
No. C.C. 19/31-32
Dated 27th February, 1932.

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(SUBJECT.)

Note on Reorganisation proposals.
Letter from the Deputy Commissioner, Hass
in reply to the Inspector-General's

~~Not to be filled in the case of permanent records.~~

Enclosure VI

Letter No.S1.C.R.11/31 dated the 27th December, 1931 from the Deputy Commissioner, Hassan District, to the Inspector General of Police in Mysore.

With reference to your letter No.C.C.19/31-32 dated 16th September, 1931, I have the honor to forward herewith a note containing my opinion regarding your proposals for the re-organisation of the Police hierarchy.

&&&

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan the 26th December, 1931.

NOTE

I must state at the outset that I am at a considerable disadvantage in giving my opinion on the note forwarded to me by the Inspector General of Police as it contains merely passing references to the proposals for the re-organisation of the Police Force in Mysore which appear to have been submitted by him to the Government. This note deals in particular with only certain parts of them and has four main objects in view:-

1. To extend the limits of the Inspector's jurisdiction beyond the limits of a single Revenue taluk, in other words, to introduce the system of circles as obtaining in Madras.

2. To "emancipate" the Inspectors from the control of the Amildars.

3. To "relieve" the Deputy Commissioner of the task of controlling the Police Department in matters of "internal economy" such as punishments, promotions, transfers, grant of leave, etc., and incidentally.

4. To appoint one or more Deputy Inspectors General of Police to do the work now done by the Deputy Commissioners.

Only the main principles of the changes involved have been explained in this note with absolutely no details as to cost, scale of establishment, jurisdiction, etc., which are very necessary even for a rough examination and constructive criticism. Stripped of all the persuasive arguments employed in the note and baldly stated, the main object of the proposals is to emancipate the Police Department from the fancied helotage of inconvenient Revenue Officers like the Amildar and the Deputy Commissioner, rather than to improve the administration of the Police force by adopting more attractive scales of pay and better methods

methods of recruitment. I have carefully considered the whole question and must state frankly that most of the present ills from which the Police Department is suffering are more due to the latter causes than to any inherent weakness in the present system of administering the Force and that I am opposed to the changes adumbrated in the note. In examining the proposals, I shall confine my observations to general principles without examining the provisions of law and rules obtaining at present, and comparing them with the changes proposed in the note.

The Inspector General of Police recommends in effect the wholesale adoption of the Madras system of Police administration. If the criticism of this system in the Legislative Council of Madras is any indication of the popular opinion, it cannot be said to be a conspicuous success in that Presidency. If our existing system is superceded by the Madras system we shall have to appoint more Sub Inspectors to take the place of Police Inspectors who will be posted to the charge of circles, Assistant Superintendents of Police for the duties which are being now discharged by the Amildars, for the charge of Police Sub Divisions which will be required under the new scheme, and Deputy Inspectors General to carry on the work that is now being done by the Deputy Commissioners. ALL THIS WILL MEAN MORE MONEY AND LOT OF IT. If on the other hand to keep down the expenditure the required number of officers are not appointed at the time of the introduction of the scheme, it is doomed to failure from the very beginning.

The proposals put forward are of the gravest importance but this is not the first time that they have been placed before the Government and every time the officers submitting them have failed to convince the Government of the necessity for a change. The system in British India is radically different from that of ours and if it was really in the interests of Mysore to do so, I am sure our Government would have followed the Madras or any other system long ago, or at least after

after the publication of the Indian Police Commission Report in 1903. In 1903-04 the then Inspector General of Police submitted a scheme of reform calculated "to bring the Police Administration into line with that of the British Provinces", at no additional cost to the State! It was thoroughly threshed out and the Police Regulation of 1906 was passed with the result that matters were practically left in statu-quo-ante.

It will thus be seen that it was not that our Government did not consider the Madras or other British Indian systems in their various aspects or that they hesitated to introduce a wholesome reform, if a reform it was, and really in advance of our system. To one not intimately acquainted with Mysore people and their traditions the Amildar appears to be a fifth wheel in the coach of the Police hierarchy. Nothing is farther from the truth. As a matter of fact, the people consider the Amildar to be a very necessary and useful cog in the Police machinery. Though it differs very widely from that obtaining in British India, our system is eminently well suited to the conditions prevailing in our State. Our Police are less corrupt and more sympathetic and helpful to the people than any in any other part of India-British or Indian. We are clinging to our system of Police - administration not because we are not convinced of the good points of the others but because we consider that it is peculiarly well suited to our state. Here in Mysore, the Amildar acts as the liaison Officer between the Police and the people. He is not a mere Revenue Collector. His first concern is the well being of the ryot. He is frequently called upon to play the role of a non-official adviser to the people in their intimate every day concerns. The very fact that his help and advice are sought shows that he commands the confidence of the people and is looked up to on account of his uprightness, readiness to help and broad-minded sympathy as the head of the Taluk. He will not permit himself or any subordinate officer of his to do anything that may detract from his good name.

"The Police can no longer" says the Inspector General of Police "act as isolated units and confine their outlook to the borders of a taluk though the Amildar, of course,may, obsessed as he is with Revenue and other work, of a purely local nature". I think it is the other way about. If the Amildar has his geographical limit, the Police Officer has his narrow departmental limit. The latter's outlook being purely departmental is infinitely more limited in scope. He confines himself to his investigations and is naturally very keen on obtaining preferment by securing a high percentage of convictions. Honest though he may start, the narrow groove in which he moves in the course of time tells upon his very habits of thought and leads him gracually to incorrect thinking and crooked ways. To see the disastrous effect of this narrow departmental outlook one has to only step across the border and see how the Police subordinates join hands and work to a bad end, what terror they instil, not only in the minds of the people but also of the Magistracy and what an important personage even a mere constable is, outside Mysore. The terror and importance are certainly not engendered by the exercise of honesty, fair play, or good conscience. Instances are not wanting in which unscrupulous Police Officers have brought Magistrates and even District Judges to grief for having dared to criticize them and their methods. This would be impossible in Mysore. And it is best that it is so. I am a native of British India, and have and had several relations in the Superior Services and amongst the landed gentry in the Bombay Presidency and in the Central Provinces and in consequence [redacted] had ample opportunities of viewing the activities and work of the Police from the official and non-official points of view. I can therefore claim to speak on the subject with some authority. I admire the British Indian Police for their esprit de corps, their loyalty to their masters and their devotion to duty. But I must admit that I have equal admiration for our Police for their free and easy ways, their lack of lust for "Izzat", their broad outlook and their helpful attitude to the people.

"Does the control of the Amildar", asks the Inspector General of Police

Police, "operate beneficially on Police work and not hamper it, and would it not be better to permit of the supervision of the District Superintendent of Police (or the Assistant Superintendent of Police) becoming closer by eliminating the interposition by the Amildars?". My answer is 'NO' and 'YES'. The impression left on my mind on reading the note under advertance is that, the Inspector General wants to relegate the duties of the present day Inspector to a lower paid Sub Inspector and to ask the Inspector to do the work of the Amildar. This will tend to worsen and not improve matters. Instead of supervising the work of the Amildar and the Inspector, the District Superintendent of Police will have to supervise the work of the Circle Inspector and Sub Inspector both of whom will be men of lower status, lower pay and in consequence of inferior calibre and more susceptible to questionable influences.

It seems to me that the opportunities given to the Amildars of intervening between the Inspectors and the District Superintendents of Police are an essential factor in ensuring fair play and justice to the public. The Amildar's knowledge and estimate of the various classes and communities in his taluk and their varied temperaments are more extended than those of the Inspector and further in his capacity of a Revenue Officer and a Magistrate he can judge everything from an impartial and commonsense point of view and can better detect than a Police Officer, the weak spots in the theories and links in the chain of evidence proposed to be advanced and adduced in the cases to be put up before courts and tender advice thereon. The happly results of Inspectors being subordinate to Amildars are evidenced every day by the small number of false cases going up to the Magistracy through the Police and in the speedier termination to the worries and anxieties of the innocent accused. As it is, the people lay the blame more readily upon the Amildar than upon the Inspector or the Superintendent of Police, if there is a miscarriage of justice or an innocent man is convicted. It is therefore but right that we should preserve the buffer that protects the people

people and prevents the Police from harassing those who wittingly or unwittingly cross their path.

The Inspector General thinks that "such supervision as the Amildar exercises over Police work is, ... largely of a routine nature and is of little real value. His scrutiny of papers of a purely departmental nature would appear to be entirely as unnecessary as it is unwarranted, since he cannot pass orders thereon and, at best can only make recommendations, their passage through his hands serves only to delay the disposal of departmental work. The causation of delay extends likewise to the more important matter - - reports of crime - and acts as an obstruction to the supervision of crime by the District Superintendent of Police. Hitherto the duty of investigating cases fell within the province of the Amildar but this practice is now in abeyance. Few Amildars, indeed are competent either to investigate or comment on the investigation of crimes : such matters are becoming steadily more technical and specialised, while for his part, the Amildars' duties are constantly being multiplied leaving him no time to devote to the perusal of the Police Reports. Further, not only does the passing of such reports through the Amildar delay their transit but tends also to render public, confidential matter recorded in them.". This is really begging the question. This statement contains several presumptions which are unwarranted. Nobody who has seen the Amildar's work, which is not infrequently passed off as that of others, will subscribe to the view that the Amildar is an "afternoon farmer" in Police matters. Very few Police Officers will deny the material help and sound advice derived in almost all important cases from the willing co-operation, resource and intimate knowledge of local affairs and men, of our Amildars. Out Amildars and Inspectors do team work which keeps each fellow worker from losing sight of the forest in looking at the trees and prevents each other from following fantastic theories or absurd technicalities to the ruin of the work on hand. How can it be said, in these circumstances, that the

Amildar's

Amildar's supervision is unwarranted or unnecessary? The people of Mysore are peaceful and law-abiding. We have hardly any organised crime whether violent or otherwise. It is too poor a country to attract the intelligent outside criminal. Most of the crimes that are reported are due to gross human passions, the cause and effect of which are patent from the very beginning. The remaining cases, generally present no difficulty in investigation. The exceiptional cases can be and almost always are, entrusted to the C.I.D. Government have already recognised that it is impossible for the Amildar amidst his multifarious duties to investigate cases himself. But all the same, they expect him to assist in the investigation of serious crimes by keeping the District Superintendent of Police informed of all that takes place in his taluk in regard to important cases and matters. It is impossible to agree with the statement that the Amildar is not competent to investigate or comment on the investigation of a crime in view of the fact that he is invariably a Magistrate whose duty it is not only to comment on the investigation but to weigh the evidence collected and to pronounce a judgment. As to delays, all that I can say is that the fault lies with the individual and not with the system. It follows that an individual who is slack should be punished and not that the system should be changed. The same remark applies to persons who may divulge confidential matter. It is certainly not the Amildar's fault that he cannot pass orders on papers that pass through his hands. Most of the delay referred to can be avoided by empowering him to dispose of routine matters and to submit to the District Superintendent of Police only such matters as are submitted in British India by the Circle Inspector to his superior.

It may be that a Policeman's work is becoming more and more technical and specialised. It cannot at any time be so technical and specialised as to become incomprehensible to Revenue Officers like Amildars and Assistant Commissioners who are required to pass all law tests

tests and are trained as Magistrates. I would like to ask the Inspector General of Police, a question : who are his best Superintendents? Are they not the Civilian Revenue Officers and not those who have served all along in the Police Department? Have not the former mastered all the necessary technique in a few fleeting months which the latter have failed to grasp in all their life long plodding in the departmental furrow?

The Inspector General of Police proposed that the Inspector's charge need not be necessarily co-terminous with the Amildar's jurisdiction and that where it may be so, the Inspector may submit duplicate general diaries. This is only a partial solution to the difficulty. As we have separation of the Judicial and Executive functions and the jurisdiction of the Magistrates extends over three or more taluks, the Inspector may have to submit charge sheets to 5 or 6 courts at a time. To take a concrete instance, if the Chennarayapatna, Arsikere and Belur taluks are divided into 2 circles, the Inspector of the Belur Circle will have to submit his 3rd class cases to the Bench Courts at Belur and Arsikere, 2nd class cases to the Special Magistrate's Court at Saklespur, and 2nd class cases of Arsikere and all 1st Class cases to the Special I Class Magistrate's Court at Hassan. Similarly, the Inspector in charge of the Chennarayapatna Circle may have to submit his charge sheets of 3rd class cases to the Bench Court at Chennarayapatna, of 2nd class cases to the Special Magistrate at Holenarsipur and 1st class cases to the Special Magistrate at Hassan. These Inspectors will also have work under preventive sections of the Criminal Procedure Code, in the Courts of the Amildar Magistrates of Holenarsipur, Chennarayapatna and Arsikere and of the Sub Divisional Magistrates at Hassan and Saklespur. I would ask, whether it is humanly possible for 2 Inspectors to pay the necessary attention to cases pending in 3 Bench Courts, 3 Amildar Magistrates' Courts and 3 First Class Magistrates' Court at

same

the same time, and whether the travelling allowance to Police Officers to attend these courts will not be inconsiderable and un-justifiable.

I may add that I have consulted several leading gentlemen of my district about the proposed changes. The majority of them echoed almost verbatim the sentiments expressed by one of my predecessors in another district, namely, that "the hour that marks the transfer of the headship of the taluk Police from the Amildar to the Inspector will toll for Mysore, the knell of the happy immunity from Police oppression which her sons have long reckoned as a precious gift and a blessed inheritance". When, however, I suggested to them that if the same objection would hold good if the work now done by the Amildars was entrusted to the Assistant Superintendents of Police with higher status and pay and placed in charge of Police Sub Divisions consisting of 3 or 4 taluks, some replied that the experiment may be tried in one or two districts. Others however said that, the additional expenditure involved would be quite unjustifiable in the present financial stringency.

Now I come to the powers exercised by the Deputy Commissioners. In British India, the Collector (or the Deputy Commissioner as the case may be) has, I understand, no control over the Police except as a District Magistrate. But here in Mysore he has a dual personality. The position of the Deputy Commissioner as the Head of District Police in Mysore is certainly more logical than that of the District Magistrate in British India. Under the Code of Criminal Procedure, the Police are the servants of the Magistracy to the entire exclusion of any other masters. How can they then look to other masters for approbation or censure in the discharge of their duties under the Criminal Procedure Code. Our system which has worked remarkably well for several decades and has stood the test of time may be safely relied upon to work satisfactorily and with the same result in the succeeding years also.

It will be seen from the paragraphs from the Report of the

Indian

Indian Police Commission quoted in the margin that the Commission have put forward as an ideal, a system of administration of the Police Force which was very much akin to that and was already in existence in Mysore for several decades.

Para 123.

The Commission are strongly of opinion that it is necessary to insist on the subordination of the Police Force to the District Magistrate, who is responsible for the criminal administration of the district and for the preservation of the public peace. The District Magistrate must be kept informed of the progress of criminal administration. The important diaries which are sent to him and the fact that all arrests have to be reported to him, go far to secure his being informed. His own tours and his accessibility to the people of all parts of the district are also the most valuable means of keeping him informed of all that goes on. In addition to this, it is the duty of the Superintendent to bring to the notice of the Magistrate everything of importance in connection with crime and criminals, to discuss with him the work of the Police, and to take his advice on all important matters. He must recognise that the District Magistrate is the head of the district and, as such, responsible for the whole district administration including the work of the Police of which the Superintendent is the head. The District Magistrate should rarely, and only of necessity, interfere in ordinary Police work or in investigation; but the discretion must be left to him as to when interference is necessary. He must not allow things to go wrong, and when he considers it necessary to issue orders these orders, subject to any reference which the Superintendent may see fit to make, must be carried out. For the manner in which the District Magistrate exercises this discretion he will be responsible to his own superiors; and this ought to form one of the principal elements in any decision as to his fitness for his office. His paramount authority and responsibility in regard to criminal administration in the district must, however, be maintained. In the discharge of this responsibility he must carefully supervise the work of the subordinate Magistrates; and he must also generally supervise the work of the Police; Under this system these Magistrates try their cases, and the District Magistrate supervises them, the Superintendent and his staff do Police work; and the District Magistrate generally supervises it. -..... The Commission consider that in the best interests of the people the Police must remain under the general control and direction of the District Magistrate. He is the officer in every way marked out for the discharge of the duties of supervising both the Magistracy and the Police. No other officer could discharge these duties so well. No other can exercise so well the beneficial influence of personal supervision, advice and encouragement in respect both of the Magistrates and the Police; and no other officer can have the same knowledge of the people as he ought to have, or be as well known to them as he ought to be. He is the connecting link between the executive and judicial functions of the administration.

As a matter of fact, the Government (of Mysore) have given to the District Magistrates all the powers which the Police Commission, recommend and no more. They say, for instance, that the work of the

Superintendent

Superintendent must be done 'under the general control and direction of the District Magistrate' and "subject to his orders". And that "it would be intolerably dangerous to allow the District Magistrate to throw the responsibility of failure on the Superintendent or his subordinates". As recommended by the Commission that the general control should vest in the District Magistrate, Section 14 lays down that "the Deputy Commissioner shall direct and regulate all matters relating to the Police subject to the general control of the Inspector General of Police". The powers given to the Deputy Commissioner under Section 16 and 26 are greatly restricted by the rules framed under the Regulation, with the result that there is considerable vagueness in several matters. It seems very necessary to define such vague expressions as "general control", "all matters connected with the efficient discharge of their duties by the Police Force" etc. Until all vagueness as to which powers are to be exercised by which officers is removed, and well established conventions which have worked admirably all these days, recognised by amendment of rules there is bound to be room for friction between the Inspector General of Police and the Deputy Commissioners. For instance, though Rule 29 expressly lays down that the Superintendents are the Deputy Commissioners' Assistants for Police purposes, communications not concerning subjects specified in Section 15 (i) (f) of the Police Regulation (on which alone the Inspector General of Police can address the Superintendents direct) are freely exhhanged between the Inspector General of Police and the District Superintendent of Police without the Deputy Commissioners knowing anything about it. Correspondence between the Inspector General of Police and the District Superintendent of Police regarding the replacement of the Barr Sepoys by the Police for the guarding of the Treasuries in the State is an instance in point. To set at nought a well established system and one which has worked satisfactorily and to attribute to it many fancied failings cannot but be regarded as positively unjust to the system itself and to those who are responsible

for

for inaugurating and continuing it.

It would be a welcome relief to the Deputy Commissioners to be divested of the charge of the Police Department. But so long as they are held responsible for the maintenance of peace and order in their districts, they will never consent to forego effective control over the Police at least as it exists at present. But the question of questions is whether it will be in the interests of the people, and whether the prestige of the Department itself will not suffer. As to the former question, I need not say anything as it has been fully dealt with by the Police Commission in the extracts reproduced in the margin. Will the Head of the Police Department much less his subordinates have the same prestige in the eyes of the public, if their connection with the Head of the District is taken away? Will the Inspector General of Police command the same respect from the people as he does now if a Deputy Commissionership is not regarded as a stepping stone to his post? Is there no substantial accession of importance to the Inspector General of Police in the eyes of the public by his being connected with the Deputy Commissioner? It is more than likely that the pay of the post itself will be reduced if the Inspector General is the immediate superior of the District Superintendent of Police. As the maximum pay of the District Superintendent of Police is only that of a Senior Assistant Commissioner and the headship of the Department is to be the close preserve of the District Superintendent of Police, it would be quite reasonable to fix the pay of the Inspector General of Police at that of a 3rd class Deputy Commissioner. The prospects of the Superintendent of Police will then be worse and not better by the proposed change.

So long as the District Magistrate is responsible for the preservation of peace and order and administration of justice in his district he must continue to be the Head of the Police force in the district, so that he may see that all criminal cases are properly handled

handled by the Police and placed before the Magistracy and that they are disposed of in an impartial and judicial manner. So long as the Deputy Commissioner is the Head of the Police, the post of the Deputy Inspector General of Police is a superfluous luxury. Mysore is, after all, a small territory and even if the District Magistrate's control over the Police were removed, the Inspector General ought to be able to carry on the duties of himself and the Deputy Inspector General as well.

I am at one with the Inspector General of Police in thinking that the powers of the District Superintendent of Police ought to be increased. He may be empowered to appoint,punish, suspend and remove all officers up to and including the grade of the Jamadars. The Amildar who should in my opinion continue to be the head of the taluk Police should be empowered to appoint constables of all grades and to fine the officers appointed by the District Superintendent of Police. He should also be empowered to pass orders to routine matters.

As for the District Magistrates, the expression "general control" should be clearly defined and they should be empowered to exercise all the powers which are exercised by the Deputy Inspector General in British India including those of appointing Sub Inspectors. The objection of the Inspector General of Police that promotions in the various districts will be unequal if appointments are made by officers other than himself will vanish if the time scale is introduced. There is also no need to make the Sub Inspectors' appointments provincial. There must be something wrong with a Sub Inspector if 8 or 10 t taluks of a district are not sufficient for him.

If anything has to be brought in line with British India, it is the pay and the prospects of the constabulary and the subordinate staff.

It must not be presumed from the foregoing that I consider

that

that our Police force is perfect. It is certainly not. The reforms which it really needs may be briefly stated as follows:-

1. The pay and prospects of the constabulary and subordinate Police staff should be the same as in British India.

2. If the Amildars are removed from the Police hierarchy they should be replaced by the Assistant Superintendents of Police holding gazetted appointments and receiving higher pay than Amildars. Three or four taluks may be grouped together fromed into Police Sub Divisions and placed under the Assistant Superintendents of Police.

3. The Assistant Superintendents of Police and the District Superintendents of Police should have time scales - the Assistant Superintendents of Police should be on the inferior time scale , say on Rs. 200-25-450 and the District Superintendents on the scale Rs.450-35-800.

4. The powers of Amildars, Assistant Superintendents and District Superintendents should be defined - so that no officer may escape responsibility by "soliciting orders". All these officers should be given greater powers than they have at present.

5. The discretion of the recruiting officers should not be hampered by considerations of caste, creed or religion.

6. Appointments to the higher posts should be mainly by a competitive examination in which a certain number of marks (say about 40%) may be alloted as in the case of the Competitive Examination for the candidates for the King's Commission in the Indian Army, for "personal interview and record," and father's services under the Government. In exceptional cases, subordinates possessing a certain amount of minimum educational qualifications and conspicious merit may be promoted to the superior posts. But promotions to the Gazetted ranks must be made before the officials get, by too long a service in the subordinate posts, the "inferiority complex", a quality which is

easily

easily acquired and rarely got rid of.

These are only the main lines along which we must proceed.

In conclusion, I would again emphasize that there is nothing the matter with the system of administration of our Police Force. The main defects - indiscipline and inefficiency - are due to inadequate remuneration and faulty recruitment. If the proposed system has worked well elsewhere ours has worked equally well in Mysore and there is no need to change it.

Sd. G.B.Heblikar,
Deputy Commissioner,
Hassan District.

COPY

Inspector General of Police.

Form VII

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1932.

Department of Police

OFFICE of the I. G. of Police in Mysore.

STATION Bangalore.

Enclosure No. VII & VII A
to
I.G.P's Letter
No. C.C. 19/31-32
Dated 27th February, 1932.

To whom sent	Date	Initial
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Pages in the file 12

(SUBJECT.)

Note on Reorganisation proposals.
Note and letter from the Deputy Commissioner,
Bangalore District in reply to the Inspector-General's -

[redacted] permanent records.

CONFIDENTIAL.

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Enclosure VII

N O T E.

The proposals contained in the Inspector-General's note dated the 10th September, 1931, are mainly the following:-

(1) Extending the jurisdiction of the Inspector of Police beyond the limits of a single Taluk,

(2) the appointment of one or more officers of the Grade of Deputy Inspector-General of Police intermediary between the Inspector-General of Police and the District Superintendent of Police, to whom should be transferred certain powers of inspection now vested in the Inspector-General of Police on the one hand and certain powers of supervision, punishment etc., now vesting in the Deputy Commissioners on the other.

2. The two proposals involve radical administrative readjustments and fundamental changes in the constitution of the Police Department as fixed by statute.

3. I shall deal with the questions in the order in which they are dealt with in the Inspector-General's note.

4. At the outset I must observe that the position of an Amildar in relation to the Police Force is not of his own seeking but one which is conferred upon him by statute. The Police Regulation casts upon him certain duties and to enable him to discharge those duties and responsibilities certain powers are conferred on him. Certain references made to the Amildar in the note are hardly just. It is stated that powers over the Police have been assumed by the Amildars and that the extent of supervision taken up by them is surprising. The scrutiny exercised by the Amildars is described as an expression of their supremacy over the Police. Scrutiny of all papers pertaining to the Depart-ment is described to be made not under any authority but

as an act of usurpation. Even the Amildar's good faith is not free from question. It is stated that the passing of the Police reports through the Amildar tends to render public, confidential reports. Under Section 15 of the Mysore Police Regulation, the Amildar of a Taluk is Ex-officio Police Officer in his revenue charge, has general powers of control over the Police and is responsi--ble for the prevention and detection of crime and maintenance of order. The Inspector of Police is subject to the general control of the Amildar. To quote the phraseology of the Police Manual the Amildar "should carefully supervise the operations of the Taluk Police and guide them to a proper discharge of their duties." The Amildar's exercise of supervision and control is therefore done in the exercise of powers vested in him by law and for the satisfactory discharge of responsibility placed on him. In order to secure that there is no undue interference with the Police in the Taluk, rules have been laid down as to the extent of the control that the Amildar should exercise over the Inspector. Orders in this respect may be defective or inadequate. It is possible to replace these orders by more suitable ones. I would suggest that only the general diary of the Inspector be submitted by the Inspector through the Amildar. The Amildar will of course have the right to send for any information or report that he may wish to have and to issue such instructions, as on a perusal of those records, he may find it necessary to issue.

5. The circumstances in which the Amildars in Bowringpet Taluk and Bangalore City have been divested of their powers as Ex-Officio heads of the Police are peculiar. In both these places there are Officers superior in rank to the Police Inspector, close at hand, to supervise the work of the Police Inspectors. In the

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case of the Bowringpet Taluk, a senior Superintendent of Police is present on the spot whose jurisdiction is limited to a Taluk. In the case of Bangalore, there was formerly a Chief Inspector of Police and latterly there is a full time Superintendent of Police. That kind and degree of supervision and control which in the case of a moffusil Taluk is exercised by the Amildar could be exercised by a regular Officer of the Police Department readily available close at hand. The example of these two cases cannot therefore be taken as an argument in favour of the extension of the same arrangement to other Taluks.

6. In regard to the question whether the Amildar is only the proverbial fifth wheel in the coach or fulfils any useful purpose, I am of opinion that he has been of great use to the regular Police in the past and that he is still of great use. It has to be remembered that the Police Department in the State consists not merely of the Regular(Uniformed) Police but also of the Village Police. The duties caste on the latter are important and onerous. The village Police has a place in the constitution of the State Police as fixed by the Police Regulation. It arranges for watching the villages during dark nights. It furnishes reports of occurences, or anticipation of occurrences of cri crime. The Amildar and superior officers in the Revenue Department have the exclusive control over the Village Police. Whatever may be the charge in the nature of crime and in the methods of detecting it in urban areas, the vigilance, energy and enthuism of the village Police is the principal factor in the prevention and detection of Crime in rural areas. The Amildar fulfils a valuable function in co-ordinating the duties of the two classed of Police agency, the Regular Poliee and the Village Police. I do not deny that in recent years the quality of the Police work of the Amildar

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Amildars has deteriorated but that is due to the system of recruitment which, in the Revenue Department, as in the Police, has brought in a large influx of recruits without adequate experience or proper training. A like deterioration is noticeable in the Police Force also.

7. Regarding the question whether the Amildars should be divested of the powers of control over the Police, I am of opinion that it is still premature to effect any such change. There is a distinct fall in the efficiency of the investigating officers in recent years which I consider attributable to two causes. The old type of Investigating officer who beginning as a writer and passing through long years of service as Duffedar in charge of Sub Station, was promoted as Hamadar, has almost entirely disappeared. True, he did not know english, but in the main principles of Law and Procedure, his long service and experience had made him proficient. The newer officers who have been directly recruited, starting with the initial handical of inadequate knowledge of English and of unsatisfactory training found themselves suddenly in charge of inveatigating centres. This description will, with few exceptions apply to many of the newer men. Until we are able to get well trained and well educated officers to be in charge of our investigating centres, it is desirable as such in the interests of efficiency of the Department and its good name as of the people that the Taluk Police should be under the general control and guidance of a senior officer of the standing and position of Amildar. The extent of the supervision may be so defined as to prevent un-necessary interference. The only places where the extension of the principle of divesting Amildars of Police powers may probably be tried safely are the Taluks where Officers of the grade of Dist. or Assistant Superintendent of Police arelocated. I may add that during the six years of my service in the Police Department I have received from Amildars valuable assistance in the prevention and detection of crime. There have been bad Amildars: as for the matter of that, quite as bad Inspectors also. It would not be correct to judge of the work of a class of Officers by its bad specimens.

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8. Subject to the control of the Amildar as indicated above, there is no objection to the extension of the jurisdiction of the Inspectors, wherever necessary, beyond the limits of a Taluk.

9. It is stated in the note that if the reason assigned for the retension of the Amildars control is the inferior quality of our Inspectors as a class the sooner they are made fit the better. I quite agree but the way to improve them would seem to be not the assignment of greater responsibility to them or to slacken the supervision over them but the provision of special arrangements to improve their quality and efficiency. The former should succeed the latter.

10. As regards the question of the proposed appointment of Deputy Inspector General of Police, and the delegation to them of powers now vested in the Inspector General of Police and the Deputy Commissioner, it may first be pointed for the delegation Regulation as it stands at present provides only for the delagation to them of powers vestee by law in the Inspector General of Police. The position of the Deputy Commissioner in the District Police if the proposed changes are given effect to is described as follows:-

> The District Magistrate, as Chief executive authority in the District, is primarily responsible for the maintanance of law and order and the criminal administra- of the District, and, for these purposes the Police force is under his control and direction. The Superintendent is the District Magistrate's Assistant for Police purposes and it is his duty to keep the latter fully informed, both by personal conference and special reports, of all matter of importance concerning the peace of the District and the state of crime. In important matters of the above nature he should take the orders of the District Magistrate confidentially of any suspecious conduct on the part of the subordinate Magistracy.
>
> If the District Magistrate, for any special reason, considers that a Police officer of and below the rank of Sub Inspector should be trransferred from a particular locality or from any special duty, he shall call upon the Superintendent to transfer and replace him, and it shall be incumbant on the Superintendent to carry out such orders.
>
> In the case of a police officer above the rank of Sub-Inspector, the District Magistrate may address the Inspector General with a view to the officer's transfer.
>
> The District Superintendent of Police is the head of the District Police Force. He is responsible for all matters

matters relatingto the internal economy and management, for the maintanance of its decipline and the punctual and regular performance of all its preventive and executive duties.

It is added that the position of the Deputy Commissioner in respect of the District Police will in all respect remain unaltered. With great respect, I wish to say that the position will be completely altered. The Deputy Commissioner and District Magistrate may be described as the chief executive authority but the District Magistrate is not the Chief executive authority in the debut. The Superintendent of Police can never be the District Magistrate's Assistant. Stripped of his Police powers, the Deputy Commissioner would only be the head of the Revenue and Magesterial officers. Neither can he be held responsible for the maintanance of law and order as a general proposition. The duties of the District Magistrate are clearly enumerated in the Criminal Procedure Code and other enactments and it is only those powers that the District Mggistrate may exercise and that only in the circumstances and to to the extent that he is authorised to exercise them. If a Superintendent of Police does not keep himself in touch with the progress of events, if his system of intellegence is defective, if his force refuses or fails to act or acts improperly and there is consequent failure of law and order. I fail to understand how the District Magistrate can be held responsible or be of any assistance. If the responsibility of the officer who is now the Deputy Commissioner and the District Magistrate is to be maintained, there can be no question of changing the present arrangement. It would be a travesty of the principles of official subordination, and decipline if the District Magistrate should be given an Assistant for Police work over whom and his subordinates, he the District Magistrate would have no administrative control. The utility of the suggestion that it is the Superintendent 's duty to inform the District Magistrate confidentially of any suspecious conduct on the part of the subordinate magistracy is not clear to me. Half or more of the Magistracy consists of officers of the Judicial Department

Department over whom the District Magistrate has no desciplinary control. I cannot understand what would be the usefulness of requiring the District Superintendent of Police to inoculate the District Magistrate with such confidential information. The proposal means distinctly, as I understand it, the removal of the control of the Deputy Commissioner which is now provided by statute and the substitution therefor of control to be exercised by the Deputy Inspector General of Police. Several of our Superintendents I mean many of those who have been promoted from the Inspectorate and whose outlook and standards are not as high as they should be are not likely to do well except under the vigilant eye of a senior officer on the spot. The supervision and control that a Deputy Inspector General of Police in charge of four Districts may exercise is likely to be less efficient than that exercised by the Deputy Commissioner. The Deputy Inspector General of Police will inevitably , owing to financial and other considerations be an officer with lower status and experience than the Deputy Commissioner and will lack besides the local knowledge and influence of the latter. If the work of the Inspection of Stations and supervision of investigation is too heavy for the Inspector General of Police, some relief could easily be arranged. Inspection of subordinate offices, if need be, could be delegated to the Assistant Inspector General of Police. As regards the desciplinary powers over officers, it is observed that the only authority to punish the Police Sub Inspectors is the Inspector General of Police. It is not so. I would invite reference to section 26 of the Mysore Police Regulation. The Deputy Commissioner and the District Superintendent of Police have authority to punish any police officer of and below the grade of Sub Inspectors. As Superintendent of police and as Deputy Commissioner, I have exercised these powers It is only letterly that there has been a tendency to centralise this in the hands of the Inspector General of Police due, I believe, to a misreading of rule 133 of the Police Manual which sayd that the power of inflicting punishment on subordinate officers shall ordinarily west in the authority appointing them. This is only the general rule, but in the case of every Department, officers have been

have been given disciplinary powers, over officers, whom they are not authorised to appoint. Rule 133 should not be intrepreted and cannot be interpreted as taking away powers of punishment specifically given by the Police Regulation. The position must be made clear and the decentralisation alowed to the Superintendents. Section 26 Clause 3 only says that the exercise of the powers shall be subject to all such rules and orders as may be made by the Government in this behalf. It is only the manner of exercise that may be controlled but such control cannot extend to the extent of extinguishing the power.

11. I should like to say a word in respect of recruitment. I admit that the present system of recruitment is defective and to some extent unfair. In order to equalise chances of promotion to Duffedars all over the State, Duffedars may be put into the list and the District Superintendents of Police requiredto make the promotions according to seniority. If necessary, one or more Districts may be grouped for the purpose of promotion, and promotions decided at a meeting of the Superintendents. In regard to the grade of Jamadars I suggest that it be abolished. As regards recruitment of Sub Inspectors, I would suggest that they may be recruited by a Committee consisting of the Inspector General of Police, one Deputy Commissioner, one Superintendent of Police and one or two non-official membersof the Central Recruitment Board.

12. To sum up, I am of opinion that it is still premature to divest Amildars of their control over the Police except in favourable areas wherein the control and supervision of the Amildar can be replaced by that of an officer of an higher rank of the Regular Police Department. The Deputy Commissioners should continue to exercise control and supervision over the Police as they do at present. It is not correct to say that if the changes that are proposed are effected the position of the Deputy Commissioner would not be radically altered. He is a Police Officer now and he will no more be a Police officer then. The powers of the

of the District Superintendent of Police may be increased. I think already this note has grown too long. There are many other considerations to which referebce must be made. In a small State like Mysore it will not be possible to have a self-contained and water-tight - Police Department. Officers of the Police Department will have to seek advancement in other allied department; otherwise there will be stagnation. Attempts have been made before now to constitute a seperate and self-contained Police Department but they were not successful.

Camp.Anekal.
5-X-31.

(Sd) K.V.Anantharaman,
Deputy Commissioner,
Bangalore District .

COPY

INSPECTOR GENERAL OF POLICE

D.O.Letter No.C.C.86/31-32 dated the 30th January 32 from the Deputy Commissioner,Bangalore District to the Inspector General of Police in Mysore, Bangalore.

I thank you for your D.O.letter No.~~GG~~ C.C. 19/31-32 dated the 16th instant. With reference to para (1) of your letter may I point out that subordination of one officer to another does not always and necessarily imply power in the superior officers to punish the subordinate? Sub Division officers are the superior officers of Amildars but they cannot punish Amildars. Punishment of Officers of a certain grade and above is reserved by Government. The Amildar in Police matters has always been a subordinate of the District Superintendent of Police. In cases where investigation was made by him, the special diaries used to be ~~xxkiii~~ submitted to the District Superintendent of Police. If necessary, this matter may be made quite clear by an order issuedby the Government. I should like the Amildar to continue to be the head of the Taluk Police with his responsibilities to the District Superintendent of Police on the one hand and with his duties in Police matters in the Taluk on the other.

As regards para (2) of your letter, I have no objection to only Station General diaries being sent to the Amildar. I have modified my note accordingly.

COPY

INSPECTOR GENERAL OF POLICE

Enclosure VII A (67)

Note.

With reference to my note on the proposals of the Inspector General of Police regarding the reorganization of the Police Department, I had the benifit of a discussion of the proposals with the Inspector General of Police, I find that the proposals are not intended to remove the responsibility or control of the Deputy Commissioner but are made with a view to secure quickness of despatch of work and greater efficiency. The following measures are suitable and may be adopted.

1. The arrangement provided by the Police Regulation of having the Amildars as Heads of Taluk olice and the Deputy Commissioners as heads of Districts Police, will cntinue. With a view however to secure quicker despatch of correspondence and other business the following arrangements may be ordered under the executive orders of Government.

i) So far asthe Amildars are concerned they will continue to perform their duties regarding the financial and account matters as heads of Taluk Police. They will be responsible for the efficient work of the Taluk Police and will be subordinate to the District Superinendent of Police so far as their Police duties are concerned. The Station General diaries will be submitted to the District Superintendent of Police through the Amildar. Other correspondence by the Inspector with the District Superintendent of Police including specialdiaries will be sent to the District Superintendent of Police. The Inspector should keep the Amildar duly informed of all important occurrences in his Taluk and the Amildar should afford him any guidance or advice that he may find it necessary to give.

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ii) As regards the Deputy Commissioner, their position will remain unchanged. All correspondence relating to departmental routine and returns connected with crime and force, will as now pass direct between the Inspector General of Police and the District Superintendent of Police, only important matters passing through the Deputy Commissioner.

iii) As regards the question of punishments equal powers are now conferred on the District Superintendent of Police and the Deputy Commissioner. The Police Manual at present reads as though powers in respect of punishment of Sub Inspectors can be exercised only by the Inspector General of Police. This view is in conflict with Section 26 of the Police Regulation. Section 133 of the Manual should be rewritten so as to make it conform to section 26 of the Police Regulation. These powers should always be exercised by the District Superintendents of Police in the first instance, an appeal against the Superintendent's order lying to the Deputy Commissioner. The power of dismissing the Sub-Inspectors of Police may be excersised by the Deputy Commissioner. An appeal will lie to the Inspector General of Police against the Deputy Commissioner's order. There should only be one appeal.

2. If a circle Inspector is given jurisdiction over two Taluks, the Inspector Inspector will prepare two copies of his diary and submit them to the District Superintendent of Police each through an Amildar. The Station Diaries of each Taluk will of course pass through the Amildar of that Taluk.

3. The Police Manual has to be redrafted so as to make the foregoing points quite clear. The responsibility for the efficient working of the Police should attach personally to the Deputy Commissioners and

and it should be their duty to take full responsibility for guiding the District Superintendent of Police and his staff.

4. In connection with the system of Circle Inspectors, it is necessary that the minimum pay of the Inspectors should be increased. The additional cost may be met by suitable retrenchment in the number of investigating centres and decreasing the number of Inspectors which may be rendered possible by the system of having circle Inspectors for more than one Taluk.

5. It is desirable that Officers of the General Department who are posted as District Superintendents of Police should be sent rather early in their service so that it may be possible to keep them at least for a period of 7 or 8 years before they are released from the General Department.

6. So long as the existing system of Police organization in the State continues it is desirable to post a certain number of officers from the Inspectorate to the General Service of Amildars. This would not only prevent stagnation in the Police Department but it will also provide a certain number of Officers with Police experience in the Magesterial and General Departments and they could later be made use of in the Gazetted ranks of the Police Department as oppurtunity offers.

7. The foregoing proposals may be read with the opinion expressed by me in my letter No.C.C.86/31-32 dated the 5/6th October 1931.

COPY

INSPECTOR GENERAL OF POLICE

Form VI]

110

1932.

Department of Police

OFFICE of the I. G. of Police in Mysore,

STATION Bangalore

Enclosure No. VIII
to
I. G. P's letter
No. C.C. 19/31-32
Dated 27th February, 1932.

To whom sent	Date	Initial
	Given for copying	
	Copied	
	Examined	
	Signed	
	Given for despatch	
	Despatched	
	Indexed	
Pages in the file 9	To be destroyed on	

(SUBJECT.)

'Punishment of Subordinate officers.

Inspector General's Note on

Not to be filled in the case of permanent records.

Enclosure VIII

111 34

PUNISHMENT OF SUBORDINATE OFFICERS

The following table shows the punishments which may be inflicted on subordinate officers of the Department, and the lowest authority by which they may be imposed and the authority to whom appeal lies :-

Officers punished	Punishment	Authority	Appelate Authority
	EXECUTIVE OFFICERS		
Inspector	Dismissal	Government	
	Reduction, suspension	Insptr.Genl.	Government
	Reprimand	Deputy Commr.	I.G.P.
	Warning	D.S.P.	Deputy Commr.
Sub Inspectors &	(Dismissal	Deputy Commr)	I.G.P.)
	Reduction, suspension, reprimand & warning	D.S.P.	Deputy Commr.
Subedar	Dismissal, reduction & Suspension	I.G.P.	Governmen'
	With holding of increment, reprimand, forfeiture of leave	A.S.P., P.R.P.	I.G.P.
Jamedar	Dismissal, reduction, suspension, forfeiture of leave, reprimand & warning	D.S.P.	Deputy
		A.S.P., P.R.P. in case of "	I.G.P.
Daffedar	Dismissal, reduction, suspension forefeiture of leave, Black Mark	D.S.P.	Deputy
Naik	Dismissal, reduction, suspension forfeiture of leave, Black Mark	A.S.P., P.R.P.	I.G.P.
Constable	Dismissal, reduction, deprivation of increment, suspension, forfeiture of leave, Black Mark	D.S.P.	D.C.
		A.S.P., P.R.P.	I.G.P.
	Punishmentdrill, extra guard duty, fatigue duty and warning	A.S.P.	D.S.P.

1/35

1. No punishment shall be awarded to any Police Officer without giving him an opportunity to explain his conduct in writing.

(a) An exception to this rule will be made in the case of the Provincial Reserve Police but only in the case of minor offences for which such punishments as extra drill, extra guard duty, extra fatigues or warnings. may. a . ' In such instances the offences shall be dealt with summarily by the Assistant Superintendent in Orderly Room, the explanation being taken orally and a brief note of the proceedings being entered in the Minor Punishments Register.

2. A minute shall be recorded when awarding a punishment which is appealable. It will be recording in the following parts :- (1) charge, in brief (ii) facts and evidence, (iii) defence and defence evidence, (iv) finding and (v) order. Minutes should be as brief as is consistent with clearness.

3. (i) Absence without leave for 21 days completes the offence of desertion, whereafter the officer's name shall <u>invariably</u> be struck off from the date of absence.

(ii) An application for reinstatement from an officer struck off as a deserter will not be entertained unless and until he has first attended in person and given his explanation. The Superintendent will then record a formal minute either confirming the dismissal o reinstating him with or without punishment or making a recommendati to the authority competent to dismiss the offender.

4. Absence without leave up to 20 days may be met with the inflictio of any punishment, including a fine amounting to the pay of the period of absence, called for by the circumstances. Recourse may be had to prosecution under the Police Regulation in aggravated cases. Men repeatedly absent without leave will be liable to dismissal as confirmed absentees.

5. Except for absence without leave fines shall not be inflicted as a punishment.

6. Suspension may be inflicted as a specific punishment, but is a form of punishment to be avoided and used only in special circumstances and the period should in no case exceed a month.

7. (i) Suspension shall take effect from the date of receipt of order by the officer affected, unless he is an absentee, in which case it will take effect from the date of absence.

(ii) In cases of grave misconduct, the Superintendent may suspend an Inspector or any officer of lower rank pending enquiry into the charges against him.

(iii) Superintendents are empowered to release officers from suspension ordered by them under the preceding clause.

(iv) A Police Officer under suspension and ordered to appear for personal hearing, may be ordered to be struck off as a deserter if he does not appear within 21 days of the receipt of the order.

(v) An Officer under suspension should ordinarily be allowed to leave the station, provided that before leaving he gives an address at which he can be found.

(vi) A Jamadar, Duffedar, Naik or Constable when placed under suspension shall deliver his kit and sanned to his immediate superior.

8. In all cases in which dismissal, removal or reduction of any officer is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial or when the officer concerned has absconded with the accusation hanging over him, be preceded by a properly recorded departmental enquiry. At such enquiry a definite charge in writing shall be framed in respect of each offence and explained to the offender, the evidence in support of it and any evidence he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing . Each of the charges framed

framed shall be discussed and a finding recorded thereon.

NOTE (i) The personal hearing under this order shall be given by a superior officer except in reduction of Daffedars, Naiks and constables when it may be given by an Inspector.

(ii) The distinction between 'removal' and dismissal is as follows:-

Removal or discharge from office arises from such a cause as unfitness for duty and does not entail further consequence. It is no bar to re-appointment to another office for which the officer may be fit or to future re-employment. The effect of dismissal is to preclude re-employment.

9. When the punishment recommended is such as may be passed only by an officer superior to the Superintendent as dismissal in the case of a Sub Inspector and all punishments except warning in the case of an Inspector, the Superintendent shall make the enquiry and send a carefully prepared minute composed as indicated in order 2 above to the authority competent to deal with the case with his recommendation. A statement of the service of the officer concerned showing the appointment held by him with dates, copies of his Defaulter and Confidential sheets and a list of the Good Service Entries and Rewards earned by him.

10. A reprimand should be awarded only for an offence which reflects on the character or efficiency of the officer or his suitability for the department.

An officer who receives three reprimands within twelve months shall be reported to the Deputy Commissioner or Inspector General as the case may be for orders as to his retention in the service or further punishment, the record regarding all the reprimands been sent to such officer.

11. All punishments awardable to Inspectors, Sub Inspectors and Jamadars shall be entered in their Defaulter Sheets : in the case of officers of lower rank, punishments by punishment drill, extra guard and fatigue duty and warnings shall not be entered in these sheets.

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12. An increment shall not be granted as a matter of course but only when the period of service which has earned it has been free from punishment. Before granting or recommending the grant of an increment the Superintendent should scrutinize the record of the officer's service and decide whether or not an increment may be postponed and state the duration of the period of such postponement.

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An increment may be stopped (i) for the general unsatisfactoriness of an officer's work and conduct, or (ii) as a definite punishment. In the former case no explanation need be taken. In the second case an explanation should be called for and a minute recorded.

Increments may be withdrawn, or postponed as a specific punishment, for a stated period which should not in any case exceed two years. In case of postponement of increments it should be stated whether the order to affect future increments as well as the one postponed or only the latter.

13. The Black Mark System is applicable only to Duffedars and Constables of the District Police and to Naiks and Constables of the Provincial Reserve Police.

14. The following rules regulate the system of punishment by Black Marks :-

1. An offence shall not be punished by the award both of a specific punishment and of a black mark, except when the specific punishment

is

is suspension or fine, in which case the officer ordering the punishment may also, at his discretion, award a black mark.

2. One black mark may also be awarded in lieu of other punishment

3. Not more than one black mark shall be awarded for any one offence.

4. Three black marks shall entail reduction of grade or rank or deprivation of increment, whenever such reduction or deprivation is possible, and the black marks shall be cancelled thereby. When no reduction or deprivation is possible, the three black marks will stand, a warning that three more will entail dismissal being given. When deprivation of increment is entailed, the order shall state the period for which the depirvation shall have effect.

5. Unless the offender is specially exempted by the (~~Deputy~~) ? Inspector General of Police, six black marks shall entail dismissal

6. Uninterrupted good conduct for a period of six months, spent on duty, shall cancel one black mark and each sucdessive period of six months' uninterrupted good conduct shall cancel one black mark. Uninterrupted good conduct for one year shall cancel all black marks.

A reduction in grade or deprivation of increment shall cancel all black marks outstanding, even though the reduction or deprivation may not be under the black mark rules. Such a punishment will not carry a black mark itself.

7. Black marks, whether awarded alone or in addition to other punishments, shall take effect from the date of the offence, unless otherwise stated.

8. The existence of one or more black marks against a man shall bar promotion, but not leave or increments of pay to constables.

9. When a black mark is awarded, the order and the copy thereof furnished to the delinquent shall state the number of black marks outstanding against such delinquent, and a warning shall be added, when recording two black marks, that the next will entail reduction or deprivation of increment and, when recording three or five black marks, that three or one more, as the case may be, will entail dismissal.

10. The above rules must be strictly enforced, provided that in any case in which the officer awarding the black marks considers that the application of the rules will result in hardship to the offender, he shall refer the case for orders.

11. A black mark should not be awarded on every occasion upon which it may be necessary to warn or reprimand an officer.

15. A copy of the minute shall at once be furnished to the officer affected in cases of dismissal, removal, reduction and suspension : in other cases of punishment it should be furnished on application made.

16. Punishments except by Black Mark (Vide order 14 above) will take effect from the date of receipt of order by the individual affected unless and otherwise stated in the order.

APPEALS

1. There shall be only one appeal in all cases of punishment except the following to which there shall be none :-

Warning (except in the case of Inspectors), punishment drill fatigue duty and extra guard duty.

2. All appeals should be preferred within 2 months from the date

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date of receipt of the orders or of the minute copy, appealed against : those put in after the expiry of that period shall be liable to summary rejection as being time barred.

3. Police officers are warned against unnecessary appeals and in such cases the appelate authority may enhance the punishment awarded or inflict additional punishment.

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4. Appeals should be accompanied by (i) a copy of the minute and a copy of the Defaulter Sheet and must be forwarded through the proper channel.

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5. When an appeal does not lie or has been made liable to summary rejection, a recommedation of the case shall not be made unless there is clear reason to suspect a miscarriage of justice.

154 A

6. The record of an order appealled against need not be forwarded in the first instance : the appelate authority may be justified in rejecting an appeal summarily on the perusal of the appeal petition. If further consideration appears necessary the record may be called for and it will be open to the subordinate authority to offer his remarks on the case.

154 B

7. When an admissible appeal is sent to Government, all the evidence - documentary and oral - which forms part of the record of enquiry should be sent with the appeal and the remarks of the forwarding officer on the points raised in the appeal.

154 C

8. An appeal by the Superintendent against an order of the Deputy Commissioner shall ~~be~~ lie to the Inspector General who may either pass orders in the matter himself or, if he thinks the matter of sufficient importance, send it for the orders of Government.

INSPECTOR GENERAL OF POLICE.

-42/20

S.O.

Proceedings of the Government of H. H.
the Maharaja of Mysore.

....

Mag I (Pol 207-30-9)

P.W. 1)

Read:--

G.O.No.P.1011-22/Pol.207-30-9 dated 15th Aug. 1931 sanctioning the re-organization of the Police Department.

2. Correspondence ending with letter NO.C.C.19/31-32 dated 27th February 1932, from the Inspector General of Police in Mysore, submitting further proposals in the matter.

Order No.P6346-53/Pol 207-30-29

Dated, Bangalore, the 24th May 1932.

In the correspondence read above, the Inspector General of Police has submitted proposals in respect of the following, among other matters:-(1) the readjustment of the functions and powers of the Amildar, the Deputy Commissioner and the Superintendent of Police, (2) the reorganization of the Inspectorate and the Sub Inspectorate (3) the amalgamation of the grades of Jamadar and Daffedar and (4) the improvement of the pay of constables.

The scope of these proposals and the action to be taken thereon are indicated below:--

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1. Amildar's Powers.

The place to be assigned to the Amildar in the heirarchy of Police officials has formed the subject of fresh discussion between the Inspector General of Police and the Deputy Commissioners of Districts and while opinion is divided as to the advisability of divesting this officer altogether of his Police functions, it is generally recognised that these functions are somewhat vague and theoretically too extensive to be efficiently performed by an officer with varied other duties. In this view the Amildar has already been relieved of the investigating of certain classes of heinous crime. Little advantage is said to have been taken latterly of the Amildar's power to inspect stations. And it is now proposed that police papers need not ordinarily pass through him with the exception of Station diaries which would be sufficient to keep him informed of important occurrences and the state of crime in his Taluk. He may, however, continue to deal with financial matters relating to the Taluk Police, e.g., pay and T.A. bills, the Inspector being at liberty to correspond direct with the Dist. Supdt. of Police in all other matters. Government approve of these proposals but wish to point out that it will always be within the discretion of the Amildar to intervene in any important and emergent Police matters, by virtue of the

general powers of control vested in him under Section 15 (2) of the Police Regulation. The powers of the Deputy Amildar will be similar to those of the Amildar, but the Station House Diaries will be submitted to him through the Inspector of the Taluk to which the Sub Taluk is attached.

2. The Deputy Commissioner and District Supdt. of Police.

With regard to the Deputy Commissioner, it is suggested that while his statutory powers of control over the Police should remain unimpaired, it is both possible and necessary to relieve him of detailed supervision in regard to the internal organization and discipline of the force. It is in particular recommended that, in the matter of punishment, he should act chiefly as an appellate authority, leaving to the Dist. Supdt. of Police the initiative as well as the primarily responsibility for dealing with questions of discipline. Govt. generally agree in this view and approve of the accompanying schedule showing the punishments which may be imposed on subordinate Police officers, the lowest authority by whom they may be imposed and the authority to whom appeals lie. It is needless to observe that while the Deputy Commissioner should normally refrain from interfering in matters of departmental dis-

cipline that lie within the competence of the District Supdt. of Police, he should not consider himself precluded from such interference on proper, but necessarily rare, occasions.

In this connection, it has been brought to the notice of Government that the present rule which confines direct correspondence between the D.S.P. and the I.G.P. to matters of routine has led to a variety of practice in the several districts, and has generally been productive of delay and inconvenience in the disposal of correspondence. Govt. consider that the District Supdts. should be allowed to correspond directly with the Inspector General of Police and vice versa except on questions relating to the personnel of the Inspectorate and matters having a bearing on the maintenance of the public peace or the criminal administration of the district. Correspondence in ~~thi~~ regard to these and allied subjects should invariably pass through the Deputy Commr. A detailed list of such subjects may be prepared and submitted to Government for approval. It will, of course, be understood that the list can only serve as a rough guide and will not fetter the discretion of the Deputy Commr. as to the range of the matters upon which he may specially ~~decide~~ desire to be kept informed or consulted.

3. Re-organization of Subordinate Ranks including Constables.

The Inspector General has recommended the introduction of the following revised scales of pay for Inspectors and Sub Inspectors:--

	Inspectors. Rs.	Sub Inspectors.
1st grade ..	150/-	80/-
2nd grade ..	125/-	70/-
3rd grade ..	100/-	60/-
4th grade ..	nil	50/-

He is also of opinion that the grades of Jamedar and Duffedar might be merged into one and a revised scale of pay ranging from Rs.21 to 35 introduced for the combined cadre. Such a scale would ensure an even flow of promotion to officers within the cadre and improve their chances, if found competent, of being appointed as Sub Inspectors in due course.

With regard to the constables it is proposed to raise the basic pay to Rs.15/-

Government are of opinion that these proposals are generally suitable and are prepared to consider them favourably, if it is found that the extra cost on account of their introduction will be substantially covered by the savings expected as a result of the further reduction of the force which is under contemplation. The Inspector General of Police is therefore requested

complete the details of his proposals both as regards improvements of pay and reduction of numbers and forward for the consideration of the Govt. a proposition statement duly verified by the Comptroller.

4. Other Proposals:

The Inspector General's proposals cover a variety of other subjects such as the increase of the number of Asst.Supdts., the improvement of the~~ir~~ scales of pay of Gazetted Officers, the appointment of one or possibly two Deputy Inspectors General of Police etc. but as these are intended more as an indication of the lines on which the Department might eventually develop than as concrete recommendations for immediate adoption, it is unnecessary to deal with them on the present occasion.

The suggestions made in regard to the qualifications to be prescribed for the several grades of subordinate officers, and the proportion in which vacancies in these grades should be filled by promotion and by direct recruitment respectively, will be dealt with in passing orders on the detailed proposals called for above as regards the revised scales of pay for the several grades.

With regard to the improvement of the Police Training School, the Inspector General is requested to address Govt. separately.

126 49

One other suggestion ~~made in the course of the correspondence~~ which remains to be noticed is that all promotions in the force should be by selection and that the unfit should be eliminated by premature retirement, if necessary. Government recognise the soundness of these principles and will be prepared to apply them whenever occasion arises.

Chief Secretary to Govt.

To

The Inspector General of Police.
" Revenue Commissioner in Mysore.
" Deputy Commrs. of Dists.
" Comptroller, thro' Fl. Sectt.
" Compiler, Mysore Gazette.

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Statement showing the punishments which may be imposed on subordinate officers of the department and the lowest authority to whom appeal lies. (Who can impose the punishment and the authority)

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APPENDIX.

Punishment of subordinate officers.
1) Executive Officers.

Officers punished.	Punishment.	Authority.	Appellate authority.
Inspector.	Dismissal	Government.	-
	Reduction	I.G.P.	Government.
	Suspension	D.C.	I.G.P.
	reprimand & warning.	D.S.P.	D.C.
Sub-Inspector.	Dismissal	D.C.	I.G.P.
	Reduction, Suspension, Reprimand & warning.	D.S.P.	D.C.
Subedar.	Dismissal, Reduction, Suspension	I.G.P.	Govt.
	With-holding of increment, reprimand & forfeiture of leave	A.S.P. (P.R.P.)	I.G.P.
Jamedar.	Dismissal, Reduction, Suspension	D.S.P.	D.C.
	Reprimand, warning & forfeiture of leave	A.S.P. (In the case of the P.R.P)	I.G.P.
Daffedar.	Dismissal, Reduction, Suspension, Forfeiture of leave, Blackmark	D.S.P.	D.C.
Naik (P.R.P.)	Dismissal, Reduction, Suspension, Forfeiture of leave, black-mark	A.S.P. (P.R.P.)	I.G.P.
Constable.	Dismissal, suspension, reduction, forfeiture of leave, deprivation of increment and black mark	D.S.P.	D.C.
	Punishment drill, extra guard duty, fatigue duty and warning	A.S.P. ~~(in the case of P.R.P.)~~	~~D.S.P.~~ A.S.P. (P.R.P.) I.G.P.

TIN

In the case of Constables PRP — in regard all the above items

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2. Administrative establishment.

Officers punished.	Punishment.	Authority.	Appellate Authori
Manager.	Dismissal.	I.G.P.	Govt.
Store-keeper in Chief office.	~~Dismissal~~ reduction, suspension; withholding of increment or promotion, reprimand and warning.	Head-quarter Asst. to I.G.P.	I.G.P.
Managers of Dt. Superintendent's Office.	Dismissal, Reduction, suspension, withholding of increment or promotion, reprimand and warning.	I.G.P. D.S.P.	Govt. D.C.
Clerks.	Dismissal, reduction etc.,	D.S.P.	D.C.

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POLICE DEPARTMENT

Pol 207-30-31

Tel. Address
"ALACRIS"
PHONE No. 298

OFFICE OF THE INSPECTOR GENERAL OF POLICE
IN MYSORE.

When replying please quote No. C. C. 19 31-32.

Dated Bangalore, 20th May, 1932.

From

F. A. HAMILTON, Esq., C.I.E.,
Inspector General of Police in Mysore,
BANGALORE.

To

R. RANGA RAO, Esqr., B.A., B.L.,
Offg: Chief Secretary to the Government of Mysore,
BANGALORE.

CHIEF SECY
23 MAY 1932

SIR,

Adverting to Government Order No. P. 6346-57/Pol.207-30-29 dated 4th May, 1932, passing orders on my proposals on certain matters relating to the Department, I have the honour to state that the Appendix accompanying the Government Order contains only the statement regarding punishment of subordinate officers. As the statement by itself is incomplete without the Rules attached thereto, I request you to kindly inform me if Government have also approved of the Rules accompanying the statement in question; and should that be the case they may further be pleased to communicate the same as an enclosure to the Government Order in question.

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I have the honour to be,
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE.

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No.P.7391/Pol.207-30-37

29th June 1932.

30

The

The Inspector-General of Police in Mysore,
Bangalore.

With reference to your letter No.C.C.19 of 1931-32 dated the 20th May 1932 regarding the rules for the punishment of and appeal by subordinate Police Officers, I am directed to state as follows:-

(1) Rule 7 (ii) and (iii, (Punishment) and Rule (1) (appeal) do not seem to be consistent with the Police Regulation and as it is not proposed at present to amend the Regulation these rules have to be suitably revised.

(2) Rule 5 - the object of this rule may be made clear and the advisability of restricting punishment by the imposition of fine in the manner proposed may be further considered. The object of Rule 8 (appeal) may be made clear.

(3) Rules 1, 2, 3(i) and (ii), 4, 7 (v), 8, 9, 14,(2) 14(3), 14(5), 14(7), 14(10)(11), 15 and 16(pun) and 2, 3, 4(appeal) are substantially a reproduction of the existing rules contained in Chapters XI and XIII of the Manual which may be left undisturbed unless there are any special reasons for making a change. Rule 13 (Punishments) is covered by the proviso to Section 26(1) of the Police Regulation.

(4) Rules 1(a), 6, 7(1), (iv), (vi), 8(notes 1 and ii), 10, 11, 12, 14(1), 14(4), 14(6), 14(8), 14(9)(punishment) and 5, 6 and 7 (appeal) are generally approved by Government. I am to request you to be so good as to favour Government with your views on the points referred to above on receipt of which firm formal orders will issue in the matter.

I have the honor to be,
Sir,
Your most obedient servant,

for Chief Secretary to Government.

S.R.-2

9.739. 30/6/32

Pol 207-30 131

To

The Inspector General of Police.

Sir,

With reference to your letter No. C.C. 19 of 1931-32 dated the 20th May 1932 regarding the rules for the punishment of and appeal by subordinate Police Officers, I am directed to state as follows:-

(1) Rule 7 (ii) and (iii) (Punishment) and Rule (1) (appeal) do not seem to be consistent with the Police Regulation and as it is not proposed at present to amend the Regulation ~~and as it is not proposed at present to amend the Regulation, the property of adopting~~ these rules has to be ~~further examined.~~ suitably revised

(2) Rule 5 ~~(Pun)~~ - the object of this rule may be made clear and the ~~admissibility~~ admissibility of restricting punishment by the imposition of fine in the manner proposed may be further considered. The object of Rule 8 (appeal) may be made clear.

(3) Rules 1, 2, 3 (i) & (ii), 4, 7 (v), 8, 9, 14 (2), 14 (3), 14 (5), 14 (7), 14(10) (11), 15 and 16 (pun) and 2, 3, 4 (appeal) are substantially a reproduction of the existing rules contained in Chapters XI & XIII of the Manual which may be left undisturbed unless there are any special reasons for making a change. Rule 13 (Punishments) is covered by the proviso to Section 26 (1) of the Police Regulation.

(4) Rule 1 (a) 6, 7 (1), (iv), (vi) 8 (notes i and ii), 10,, 11, 12, 14(a) 14 (4),

~~55~~/32

(4), 14 (6), 14 (8), 14 (9) (Punishment) 45,69

7 (appl) ~~which are new or incorporate a desirable change which~~ are usually approved by Government. I am to request you to be so good as to favor Government with your views on the points referred to, drawn on receipt of which formal orders will issue in the matter.

I have etc.,

Chief Secretary to Government.

P.H.

POLICE DEPARTMENT

Tel. Address
"ALACRIS"
PHONE No. 298

OFFICE OF THE INSPECTOR GENERAL OF POLICE
IN MYSORE.

When replying
please quote
No. C.C. 19/31-32.

Dated Bangalore, 2nd July, *193* 2

From

F. A. HAMILTON, Esq., C.I.E.,
Inspector General of Police in Mysore,
BANGALORE.

To

N. Madhava Rao, Esq., B.A., B.L.,
Chief Secretary to the Government of Mysore,
Bangalore

SIR,

In reply to your letter No.P.7391/Pol. 207-30-37 dated the 29/30th June, 1932, I have the honor to state that in respect of paragraph 1, the existing Rule 142 in the Police Manual empowers the Deputy Commissioner to suspend an Inspector. The proposed Rule 7 (ii) would place this power in the hands of the Superintendent. Section 26 Sub Section (3) of Regulation V of 1908 provides for the exercise of any power conferred by this Sub Section being subject to such Rules and orders as the Government may make in that behalf. It would not seem, therefore, to be improper for Government now to frame a Rule placing the power of suspending an Inspector in the hands of the Superintendent of Police. It is desirable that a Superintendent of Police should have the power to suspend an Inspector who is believed to be guilty of grave mis-conduct pending an enquiry into his behaviour in the interest of discipline and the State. If, however, it is desired that this power should be substantially in the hands of the Deputy - Commissioner, the words "Subject to confirmation by the Deputy Commissioner" may be added after "Superintendent" in Rule 7 (ii).

In respect of Rule 1 (appeal) the existing continuous system of appeals provided under Section 27 (ii) of Regulation V 1908 is cumbersome and against the interests of the Department. The proposed rule was formulated after discussion of the matter with the Second Member of Council and it does not seem necessary to provide a second appeal in any case. It would seem advisable so far to depart from the law.

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Paragraph (2) :- The fining of lowly paid subordinate officers does not appear to me to be a proper method of inflicting punishment. Its results are that the officer fined resorts to corrupt practices in order to reimburse himself to the extent of fine inflicted or further. I am, therefore, averse to the continuance of the practice of fining Police Officers.

Rule 8 (appeal) is proposed with the intention of providing for an appeal by the District Superintendent of Police against the order of a Deputy Commissioner should the former disagree with an order passed by the latter. Such a power would be allowed in the case of an order passed by the Deputy Inspector General and may be allowed either in connection with the reversal of an order passed by the Superintendent or in the case of an original order passed by the Deputy Commissioner.

Paragraph (3) :- As the sequence of the orders regarding punishments and appeals is altered by the proposals now made orders which do not differ substantially from those already established in the Police Manual are now given in full in order that from their sequence the intention of the orders may be comprehended. It is desired to replace the chapters XI and XIII in the Police Manual by the proposed orders on Punishments and Appeals which may be adopted in supersession of the existing rules.

I have the honor to be,
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE.

135 ~~7~~

Pol 207-30-39

Proceedings of the Government of H.H. the Maharaja of Mysore.

Twelve copies

Read:-

G.O. No. P. 6346-57/Pol. 207-30-29 dated 4-5-1932 passing orders regarding the punishment of, and appeals by, the subordinate Police Staff.

2. Correspondence ending with letter No. C.C. 19 of 1931-32 dated 2/4-7-32 from the I.G. of Police in the matter of revising and re-arranging the rules contained in Chapters XI and XIII of the Police Manual Vol. I regarding Punishments and Appeals.

Order No. P/400-409 dated 5-9-32.

Government are pleased to direct ~~the replacement of the existing rules in Chapters XI and XIII of the Mysore Police Manual Vol. I by~~ approve of the revised rules appended hereto regarding punishments and appeals and direct that they shall be substituted for the existing rules contained in Chapters XI and XIII of the Mysore Police Manual, Vol I.

2. The I.G. of Police is requested to issue necessary correction slips to the Police Manual.

Chief Secy. to Government.

Order sent to I.G.P.

To

X The I.G. of Police
The Comptroller to Government.
The D.Cs. of Districts.
~~The Rev. Gomes.~~

C.R.G.

CHAPTER XI.

PUNISHMENTS.

Statutory provisions. Under Section 8 of the Police Regulation, V of 1908, the dismissal of Inspectors of all grades shall vest in Government. Under Section 11, a Police Officer shall not, by reason of his being suspended from office, cease to be a Police Officer. Section 26 enumerates the various punishments awardable by controlling officers departmentally for neglect of duty, etc., and Section 27 lays down the procedure to be observed in awarding punishments.

Punishments. 133. The following table shows the punishments which may be inflicted and the lowest authority by which they may be imposed:-

Officers punished.	Punishment.	Authority.
Inspector	Dismissal Reduction Suspension Reprimand and Warning	Government. Inspector General of Police. Deputy Commissioner. Dt. Supdt. of Police.
Sub Inspector	Dismissal Reduction Suspension Reprimand and Warning	Deputy Commissioner. Dt. Supdt. of Police.
Subedar	Dismissal Reduction Suspension Withholding of increment, reprimand and forfeiture of leave.	Inspector General of Police Asst. Supdt. of Police (Provincial Reserve Police.)
Jamedar	Dismissal Reduction Suspension Reprimand Warning and forfeiture of leave.	Dt. Supdt. of Police. Asst. Supdt. of Police (in the case of Provincial Reserve -- Police.)
Daffedar	Dismissal Reduction Suspension Forfeiture of leave, Black-mark.	Dt. Supdt. of Police.
Naik (Provincial Reserve Police)	Dismissal Reduction Suspension Forfeiture of leave, Black-mark.	Asst. Supdt. of Police (Provincial Reserve Police.)
Constable.	Dismissal, suspension, reduction, forfeiture of leave, deprivation of increment and ~~ex~~ blackmark.	Dt. Supdt. of Police.
	Punishment, Drill, extra guard duty, fatigue duty and warning.	Asst. Supdt. of Police.
In the case of constables Provincial Reserve Police.	As regards all the above items.	Asst. Supdt. of Police (Provincial Reserve police

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Explanation to be obtained.

134. No punishment should be awarded upon any Police Officer without giving him an opportunity to explain his conduct in writing.

~~135 (a)~~ An exception to this rule will be made in the case of the Provincial Reserve Police but only in the case of minor offences for which such punishments as extra drill, extra guard duty, extra fatigue duty or warning may be awarded. In such instances the offences shall be dealt with summarily by the Assistant Superintendent in Orderly Room, the explanation being taken orally and a brief note of the proceedings being entered in the Minor Punishments Register.

When to take effect.

~~136~~ 136. Punishments, except by black marks, should as a rule, take effect from the date of receipt of the order by the party affected, unless the order itself states from what date effect is to be given to the punishment.

Black marks system.

137. The following rules regulate the system of punishment by black marks:-

(1) An offence shall not be punished by the award of both a specific punishment and of a black mark, except when the specific punishment is suspension or fine, in which case the officer ordering the punishment may also, at his discretion, award a black mark.

(2) One black mark may also be awarded in lieu of any other punishment.

(3) Not more than one black mark shall be awarded for any one offence.

(4) Three black marks shall entail reduction of grade or rank or deprivation of increment, whenever such reduction or deprivation is possible, and the black marks shall be cancelled thereby. When no reduction or deprivation is possible, the three black marks will stand,-a warning that three more will entail dismissal being given. When deprivation of increment is entailed, the order shall state the period for which the deprivation shall have effect.

(5) Unless the offender is specially exempted by the Inspector General, six black marks shall entail dismissal.

(6) Uninterrupted good conduct for a period of six months, spent on duty, shall cancel one black mark and each successive period of six months' uninterrupted good conduct shall cancel one black mark. Uninterrupted good conduct for one year shall cancel all ~~xxx~~ black marks. A reduction in grade or deprivation of increment shall cancel all black marks outstanding, even though the reduction or deprivation may not be under the black mark rules. Such a punishment will not carry a black mark itself.

(7) Black marks, whether awarded alone or in addition to other punishments, shall take effect from the date of the offence unless otherwise stated.

(8) The existence of one or more black marks against a man shall bar promotion, but not leave or increments of pay to constables.

(9) When a black mark is awarded, the order and the copy thereof furnished to the delinquent shall state the number of black marks outstanding against such delinquent, and a warning shall be added, when recording two black marks, that the next will entail reduction or deprivation of increment and, when recording three or five black marks, that three or one more, as the case may be, will entail dismissal.

(10) The above rules must be strictly enforced, provided that in any case in which the officer awarding the black marks considers that the application of the rules will result in hardship to the offender, he shall refer the case for orders.

(11) A black mark should not be awarded on every occasion upon which it may be necessary to warn or reprimand an officer. It is of itself a definite punishment carrying, as it does, a liability to a penalty.

(12) The Punishment Rolls should be carefully checked in the headquarter office with reference to the outstanding black marks and any error therein should be brought to notice by the Headquarter Inspector in order that necessary corrections may be made in the punishment awarded.

137 The Black mark system is not applicable to Inspectors and Sub Inspectors

Warning and reprimand.

138. A reprimand should be awarded only for an offence which reflects on the character or efficiency of the officer or his suitability for the department.

An officer who receives three reprimands within 12 months shall be reported to the Deputy Commissioner or Inspector General as the case may be for orders as to his retention in the service.

An officer who receives three reprimands within 12 months shall be reported to the Deputy Commissioner or Inspector General as the case may be for orders as to his retention in the service or further punishment, the record regarding all the reprimands being sent to such officer.

Absence without leave.

139 (1) Absence without leave up to twenty days may be met by the infliction of any punishment, including a fine amounting to the pay of the days of absence called for by the circumstances. Recourse may be had to prosecution under the Police Regulation in aggravated cases. Men repeatedly absent without leave will be liable to dismissal, as confirmed absentees.

Desertion

(2) Absence without leave for twenty one days completes the offence of desertion, when the individual's name should invariably be struck off from the date of absence.

Reinstatement of Deserters.

(3) When men who have been struck off as "deserters" (for 21 days' absence without leave) return and apply for re-instatement their cases should be carefully enquired into and the real reason for their absence ascertained. A minute should then be recorded by the Superintendent or the Assistant Superintendent if he considers the reason for absence unsatisfactory, confirming the order of dismissal for desertion; but if, on the other hand, ill health family bereavement or other reasons of a rare nature have really prevented the return of the absentee, his case may be sent up to the Inspector General through the Deputy Commissioner, with a recommendation for reinstatement.

Fines

140. Except for absence without leave fines shall not be inflicted as a punishment.

Suspension

141 (1) Suspension may be inflicted as a specific punishment, but is a form of punishment to be avoided and used only in special circumstances and the period should in no case exceed a month.

(2) Suspension shall take effect from the date of receipt of order by the officer affected, unless he is an absentee, in which case it will take effect from the date of absence.

(3) A Police Officer under suspension and ordered to appear for personal hearing, may be ordered to be struck off as a deserter if he does not appear within 21 days of the receipt of the order.

(4) An officer under suspension should ordinarily be allowed to leave the station, but before leaving, he should be required to leave his address with the Inspector or the officer holding an enquiry into his conduct. He must also obey all orders to attend any enquiry into his conduct and if he fails to do so, the enquiry may be held in his absence.

(5) A Jamedar, Duffedar, Naik or Constable when placed under suspension shall deliver his kit and sannad to his immediate superior.

Procedure. 142. In all cases in which dismissal, removal or reduction of any officer is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial or when the officer concerned has absconded with the accusation hanging over him, be preceded by a properly recorded departmental enquiry. At such enquiry a definite charge in writing shall be framed in respect of each offence and explained to the offender and any evidence he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing. Each of the charges framed shall be discussed ad a finding recorded thereon.

Note.- (i) The personal hearing under this Rule shall be given by a superior officer, except in cases of reduction of Duffedars, Naiks and constables, when it may be given by an Inspector.

(ii) The distinction between ''removal' and 'dismissal is as follows:

Removal or discharge from office arises from such a cause as unfitness for duty and does not entail further consequence. It is no bar to re-appointment to another office for which the officer may be fit or to future re-employment. The effect of dismissal is to preclude re-employment.

Documents to accompany punishment rolls.

143. When the punishment recommended is such as may be passed only by an officer superior to the Superintendent, as dismissal in the case of a Sub-inspector, and all punishments except warning in the case of an Inspector, the Superintendent shall make the enquiry and send a carefully prepared minute composed as indicated in rule 144 below to the authority competent to deal with the case with his recommendation. A statement of the service of the officer concerned, showing the appointment held by him with dates, copies of his Defaulter and Confidential sheets and a list of the Good Service Entries and Rewards earned by him should also accompany.

Recording of minutes.

144. A minute shall be recorded when awarding a punishment which is appealable. It will be recorded in the following parts:- (1) charge, in brief (ii) facts and evidence, (iii) defence and defence evidence, (iv) finding and (v) order. Minutes should be as brief as is consistent with clearness.

Copies when furnished.

145. (1) A copy of the minute shall at once be furnished to the ----------

officer

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officer affected in case of dismissal, reduction and suspension.

(5) In other cases, it will only be given on application.

Entry in defaulter sheets.

146. All punishments awardable to Inspectors, Sub Inspectors and Jamedars shall be entered in their Defaulter Sheets; in the case of officers of lower rank, punishments by punishment drill, extra guard and fatigue duty and warnings shall not be entered in these sheets.

Grant & Stoppage of increments

147. An increment shall not be granted as a matter of course but only when the period of service which has earned it has been free from punishment. Before granting or recommending the grant of an increment the Superintendent should scrutinize the record of the officer's service and decide whether or not an increment may be postponed and state the duration of the period of such postponement.

An increment may be stopped (i) for the general unsatisfactoriness of an officer's work and conduct, or (ii) as a definite punishment. In the former case no explanation need be taken. In the second case an explanation should be called for and a minute recorded.

Increments may be withdrawn, or postponed as a specific punishment, for a stated period which should not in any case exceed two years. In case of postponement of increments, it should be stated whether the order is to affect future increments as well as the one postponed or only the latter.

C H A P T E R XIII.

Appeals.

Under Clause 2 of Section 27 of the Police Regulation, V of 1908, an appeal shall lie to the Deputy Commissioner from all orders of fine suspension, reduction or dismissal passed by a District Superintendent. From all orders of the Deputy Commissioner, an appeal shall lie to the Inspector-General. In the case of all officers above the rank of Constable, a further appeal shall lie to Government.

Time limit for appeals

152. Appeals against dismissal, reduction or suspension must be presented within two months from the date of receipt of the order and against other punishments within one month of ~~the same~~ such date. Appeals put in after the expiry of these periods will be liable to summary rejection.

Note.- The period intervening between the date of application for copy of minute and the receipt thereof by the appellant should be excluded from the calculation of the time limit for appeals.

Unnecessary appealing

153. Police Officers are warned that unnecessary appealing against the decision of a superior officer will be considered as a mark of insubordination, particularly when the punishment awarded is only a black mark or a petty fine under eight annas.

Rules regarding Submission of appeals.

154. Appeals must be accompanied by (1) the order of punishment, (2) a copy of the minute recorded by the officer inflicting the punishment, (3) a copy of the defaulter sheet and further appeals, by copies of the former appellate orders also; and in the case of men still in the force, they must be forwarded through the proper official channel.

154 A. When an appeal does not lie or has been made liable to summary rejection, a recommendation of the case shall not be made unless there is clear reason to suspect a miscarriage of justice.

B. The record of an order appealed against need not be forwarded in the first instance; the appellate authority may be justified in rejecting an appeal summarily on the perusal of the appeal petition. If further consideration appears necessary the record may be called for and it will be open to the subordinate authority to offer his remarks on the case.

C. When an admissible appeal is sent to Government, all the evidence - documentary and oral - which forms part of the record of

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of enquiry should be sent with the appeal and the remarks of the forwarding officer on the points raised in the appeal.

Review of reduction of punishment

155. (1) Superintendents or the Assistant Superintendents shall include in their monthly force returns all punishments inflicted on their subordinates. In reviewing the returns, the Inspector General may call for and examine the papers in any case of punishment where an officer appears to have been improperly dealt with.

(2) In any case in which he considers the punishment inflicted to be either excessive or uncalled for, the Inspector-General may refer the case to the appellate authority, or may himself treat it as a case of appeal.

(3) Such appellate authority shall thereupon take cognizance of the reference as if it were an appeal and may, after making due enquiry, confirm, reduce or cancel punishment inflicted.

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PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :--

Government Order No.P.6346-57/Pol. 207-30-29 dated 4th May 1932 passing orders regarding the punishment of, and appeals by, the subordinate police staff.

2. Correspondence ending with letter No.C.C.19 of 1931-32 dated 2/4th July 1932 from the Inspector General of Police in the matter of revising and rearranging the rules contained in Chapters XI and XIII of the Police Manual Vol.I regarding Punishment and Appeals.

Order No. P.1400-409/Pol 207-30-39

Dated, Bangalore, 5-9 Sept 1932.

Government are pleased to approve of the revised rules appended hereto regarding punishments and appeals, and direct that they shall be substituted for the rules now contained in Chapters XI and XIII of the Mysore Police Manual, Vol. I.

2. The Inspector General of Police is requested to issue necessary correction slips to the Police Manual.

for Chief Secretary to Government.

To

The Inspector General of Police in Mysore.

The Comptroller to Government.

The Deputy Commissioners of Districts.

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Chapter XI.

Punishments.

Statutory Provision.

Under Section 8 of the Police Regulation, V of 1908, the dismissal of Inspectors of all grades shall vest in Government. Under Section 11, a Police Officer shall not, by reason of his being suspended from office, cease to be a Police Officer. Section 26 enumerates the various punishments awardable by controlling officers departmentally for neglect of duty etc., and Section 27 lays down the procedure to be observed in awarding punishments.

Punishments.

133. The following table shows the punishments which may be inflicted and the lowest authority by which they may be imposed: -

Officers Punished.	Punishment.	Authority.
Inspector	Dismissal. Reduction. Suspension. Reprimand and Warning.	Government. Inspector General of Police. Deputy Commissioner. District Superintendent of Police
Sub Inspector.	Dismissal. Reduction Suspension Reprimand and Warning.	Deputy Commissioner. District Superintendent of Police.
Subedar.	Dismissal. Reduction. Suspension. Withholding of increment, reprimand and forfeiture of leave.	Inspector General of Police. Assistant Superintendent of Police (Provincial Reserve Police).
Jamedar.	Dismissal Reduction Suspension. Warning and forfeiture of leave ~~Reprimand~~	District Superintendent of Police. Assistant Superintendent of Police (in the case of Provincial Reserve Police).
Daffedar.	Dismissal. Reduction. Suspension. Forfeiture of leave, Black mark.	District Superintendent of Police.
Naik (Provincial Reserve Police).	Dismissal. Reduction Suspension Forfeiture of leave Black-mark.	Assistant Superintendent of Police (Provincial Reserve Police).

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Officers punished.	Punishment.	Authority.
Constable.	Dismissal. Suspension, reduction, forfeiture of leave, deprivation of increment & Black-mark.	District Superintendent of Police.
	Punishment, Drill, extra Guard Duty, extra Fatigue duty and warning.	Assistant Superintendent of Police.
In the case of constables Provincial Reserve Police.	As regards all the above items.	Assistant Superintendent of Police (Provincial Reserve Police).

Explanation to be obtained.

134. No punishment should be awarded upon any Police Officer without giving him an opportunity to explain his conduct in writing.

An exception to this rule will be made in the case of the Provincial Reserve Police, but only in the case of minor offenses, for which such punishments as extra drill, extra guard duty, extra fatigue duty or warning may be awarded. In such instances, the offences shall be dealt with summarily by the Assistant Superintendent in Orderly Room, the explanation being taken orally and a brief note of the proceedings being entered in the Minor Punishments Register.

When to take effect.

135. Punishments, except by black marks, should, as a rule, take effect from the date of receipt of the order by the party affected, unless the order itself states from what date effect is to be given to the punishment.

Black marks system.

136. The following rules regulate the system of punishment by black marks: -

(1) An offence shall not be punished by the award both of a specific punishment and of a black mark, except when the specific punishment is suspension or fine, in which case the officer ordering the punishment may also,

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at his discretion, award a black mark.

(2) One black mark may also be awarded in lieu of any other punishment.

(3) Not more than one black mark shall be awarded for any one offence.

(4) Three black marks shall entail reduction of grade or rank or deprivation of increment, whenever such reduction or deprivation is possible, and the black marks shall be cancelled thereby. When no reduction or deprivation is possible, the three black marks will stand, a warning that three more will entail dismissal being given. When deprivation of increment is entailed, the order shall state the period for which the deprivation shall have effect.

(5) Unless the offender is specially exempted by the Inspector General, six black marks shall entail dismissal.

(6) Uninterrupted good conduct for a period of six months, spent on duty, shall cancel, one black mark and each successive period of six months' uninterrupted good conduct shall cancel one black mark. Uninterrupted good conduct for one year shall cancel all black marks.

A reduction in grade or deprivation of increment shall cancel all black marks outstanding even though the reduction or deprivation may not be under the black mark rules. Such a punishment will not carry a black mark itself.

(7) Black marks, whether awarded alone or in addition to other punishments, shall take effect from the date of the offence unless otherwise stated.

(8) The existence of one or more black marks against a man shall bar promotion, but not leave or increments of pay to constables.

(9) When a black mark is awarded, the order and the copy thereof furnished to the delinquent shall state the number of black marks outstanding against such delinquent, and a warning shall be added, when recording two black marks, that the next

at his discretion, award a black mark.

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will entail reduction or deprivation of increment and, when recording three or five black marks, that three or one more, as the case may be, will entail dismissal.

(10). The above rules must be strictly enforced, provided that in any case in which the officer awarding the black marks considers that the application of the rules will result in hardship to the offender, he shall refer the case for orders.

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(12) The punishment Rolls should be carefully checked in the headquarter office with reference to the outstanding black marks and any error therein should be brought to notice by the Headquarter Inspector in order that necessary corrections may be made in the punishment awarded.

137. The Black mark system is not applicable to Inspectors and Sub Inspectors.

Warning and reprimand.

138. A reprimand should be awarded only for an offence which reflects on the character or efficiency of the officer or his suitability for the Department.

An officer who receives three reprimands within 12 months shall be reported to the Deputy Commissioner or Inspector General as the case may be for orders as to his retention in the service of further punishment, the record regarding all the reprimands being sent to such officer.

Absence without leave.

139. (1) Absence without leave up to twenty days may be met by the infliction of any punishment, including a fine amounting to the pay of the days of absence called for by the circumstances. Recourse may be had to prosecution under the Police Regulation in aggravted cases. Men repeatedly absent without leave will be liable to dismissal, as confirmed absentees.

Desertion. (2) Absence without leave for twenty one days completes the offence of desertion, when the individual's name should invariably be struck off from the date of absence.

Reinstatement of Deserters.

(3) When men who have been struck off as "deserters" (for 21 days' absence without leave) return and apply for re-instatement their cases should be carefully enquired into and the real reason for their absence ascertained. A minute should then be recorded by the Superintendent or the Assistant Superintendent if he considers the reason for absence unsatisfactory, confirming the order of dismissal for desertion; but if, on the other hand, ill health family bereavement or other reasons of a rare nature have really prevented the return of the absentee, his case may be sent up to the Inspector General through the Deputy Commissioner, with a recommendation for re-instatement.

Fines.

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Suspension.

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(4) An officer under suspension should ordinarily be allowed to leave the station, but before leaving, he should be required to leave his address with the Inspector or the officer holding an enquiry into his conduct. He must also obey all orders to attend any enquiry into his conduct and if he fails to do so, the enquiry may be held in his absence.

(5) A Jamedar, Duffedar, Naik or Constable placed under suspension shall deliver his kit and sanad to his

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immediate superior.

Procedure.

142. In all cases in which dismissal, removal or reductio of any officer is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial or when theofficer concerned has absconded with the accusation hanging over him, be preceded by a properly recorded departmental enquiry. At such enquiry a definite charge in writing shall be framed in respect of each offence and explained to the offender and any evidence he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing. Each of the charges framed shall be discussed and a finding recorded thereon.

Note - (i) The personal hearing under this rule shall be given by a superior officer, except in cases of reduction of daffedars, Naiks and constables when it may be given by an Inspector.

(ii) The distinction between "removal" and "dismissal" is as follows: -

Removal or discharge from office arises from such a casue as unfitness for duty and does not entail further consequence. It is no bar to reappointment to another office for which the officer may be fit or to future reemployment. The effect of dismissal is to preclude re-employment.

Documents to accompany punishment rolls.

143. When the punishment recommended is such as may be passed only by an officer superior to the Superintendent, as dismissal in the case of an Inspector, the Superintendent shall make the enquiry and send a carefully prepared minute composed as indicated in rule 144 below to the authority competent to deal with the case with his recommendation. A statement of the service of the officer concerned, showing the appointment held by him with dates, copies of his defaulter and Confidential sheets and a list of the Good Service Entries and Rewards earned by him should also accompany.

Recording of mintures.

144. A minute shall be recorded when awarding a punishment which is appealable. It will be recorded in the following parts: - (i) Charge, in brief,

(ii) facts and evidence, (ii) defence and defence evidence, (iv) finding and (v) order. Minutes should be as brief as is consistent

Entry in defaulter sheets.

146. All punishments awardable to Inspectors, Sub Inspectors and Jemedars shall be entered in their Defaulter Sheets; in the case of officers of officers of lower rank, punishments by punishment drill, extra guard and fatigue duty and warnings shall not be entered in these sheets.

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An increment may be stopped (i) for the general unsatisfactoriness of an officer's work and conduct, or (ii) as a definite punishment. In the former case no explanation need be taken. In the second case an explanation should be called for and a minute recorded.

Increments may be withdrawn, or postponed as a specific punishment, for a ~~max~~ stated period which should not in any case exceed two years. In case of postponement of increments, it should be stated whether the order is to affect future increments as well as the one postponed or only the latter.

Chapter XIII.

A p p e a l s.

Under Clause 2 of Section 27 of the Police Regulation, V of 1908, an appeal shall lie to the Deputy Commissioner from all orders of fine suspension, reduction or dismissal passed by a District Superintendent. From all orders of the Deputy Commissioner, an appeal shall lie to the Inspector General. In the case of all officers above the rank of constable, a further appeal shall lie to Government.

Unnecessary appealing.

153. Police officers are warned that unnecessary appealing against the decision of a superior officer will be considered as a mark of insubordination particularly when the punishment awarded is only a black mark or a petty fine under eight annas.

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[illegible] be excluded from the calculation of time limit for appeals.

Unnecessary appealing

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Unnecessary appealing.

Rules re submission of appeals

154. Appeals must be accompanied by (1) the order of punishment, (2) a copy of the minute recorded by the officer inflicting the punishment, (3) a copy of the defaulter sheet and further appeals, by copies of the former appellate orders also; and in the case of men still in the force, they must be forwarded through the proper official channel.

154A. When an appeal does not lie or has been made liable to summary rejection, a recommendation of the case which shall not be made unless there is clear reason to suspect a miscarriage of justice.

B. The record of an order appealed against need not be forwarded in the first instance; the

the appellate authority may be justified in rejecting an appeal summarily on the perusal of the appeal petition. If further consideration appears necessary the record may be called for and it will be open to the subordinate authority to offer his remarks on the case.

6. When an admissible appeal is sent to Government, all the evidence - documentary and oral - which forms part of the record of enquiry should be sent with the appeal and the remarks of the forwarding officer on the points raised in the appeal.

Review of return of punishments.

155. (1) Superintendents or the Assistant Superintendents shall include in their monthly force returns all punishments inflicted on their subordinates. In reviewing the returns, the Inspector General may call for and examine the papers in any case of punishment where an officer appears tohave been improperly dealt with.

(2) In any case in which he considers the punishment inflicted to be either excessive or uncalled for, the Inspector General may refer the case to the appellate authority, or may himself treat it as a case of appeal.

(3) Such appellate authority shall thereupon take cognizance of the reference as if it were an appeal and may, after making due enquiry, confirm, reduce or cancel punishment inflicted.

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PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:-

Government Order No.P.6346-57/Pol. 207-30-29 dated 4th May 1932 passing orders regarding the punishment of, and appeals by, the subordinate police staff.

S. Correspondence ending with letter No.C.C.19 of 1931-32 dated 2/4th July 1932 from the Inspector General of Police in the matter of revising and rearranging the rules contained in Chapters XI and XIII of the Police Manual Vol.I regarding Punishment and Appeals.

Order No. P.1400-409/Pol 207-30-39

Dated, Bangalore, 5-9-1932.

Government are pleased to approve of the revised rules appended hereto regarding punishments and appeals, and direct that they shall be substituted for the rules now contained in Chapters XI and XIII of the Mysore Police Manual, Vol. I.

S. The Inspector General of Police is requested to issue necessary correction slips to the Police Manual.

for Chief Secretary to Government.

To

The Inspector General of Police in Mysore.

The Comptroller to Government.

The Deputy Commissioners of Districts.

[illegible].S.

Chapter XI.

Punishments.

Statutory Provision.

Under Section 8 of the Police Regulation, V of 1908, the dismissal of Inspectors of all grades shall vest in Government. Under Section 11, a Police Officer shall not, by reason of his being suspended from office, cease to be a Police Officer. Section 26 enumerates the various punishments awardable by controlling officers departmentally for neglect of duty etc., and Section 27 lays down the procedure to be observed in awarding punishments.

Punishments.

133. The following table shows the punishments which may be inflicted and the lowest authority by which they may be imposed -

Officers Punished.	Punishment.	Authority.
Inspector	Dismissal. Reduction. Suspension. Reprimand and Warning.	Government. Inspector General of Police. Deputy Commissioner. District Superintendent of Police
Sub Inspector.	Dismissal. Reduction Suspension Reprimand and Warning.	Deputy Commissioner. District Superintendent of Police.
Subedar.	Dismissal. Reduction. Suspension. Withholding of increment, reprimand and forfeiture of leave.	Inspector General of Police. Assistant Superintendent of Police (Provincial Reserve Police).
Jemedar.	Dismissal Reduction Suspension. Reprimand, Warning and forfeiture of leave ~~of Reprimand~~	District Superintendent of Police. Assistant Superintendent of Police (in the case of Provincial Reserve Police).
Jaffedar.	Dismissal. Reduction. Suspension. Forfeiture of leave. Black mark.	District Superintendent of Police.
Naik (Provincial Reserve Police).	Dismissal. Reduction Suspension Forfeiture of leave Black-mark.	Assistant Superintendent of Police (Provincial Reserve Police).

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Officers punished.	Punishment.	Authority.
Constable.	Dismissal, Suspension, reduction, forfeiture of leave, deprivation of increment & black-mark.	District Superintendent of Police.
	Punishment, Drill, extra Guard Duty, ~~Xmg~~ Fatigue duty and warning.	Assistant Superintendent of Police.
In the case of constables Provincial Reserve Police.	As regards all the above items.	Assistant Superintendent of Police (Provincial Reserve Police).

Explanation to be obtained.

134. No punishment should be awarded upon any Police Officer without giving him an opportunity to explain his conduct in writing.

An exception to this rule will be made in the case of the Provincial Reserve Police, but only in the case of minor offences, for which such punishments as extra drill, extra guard duty, extra fatigue duty or warning may be awarded. In such instances, the offences shall be dealt with summarily by the Assistant Superintendent in Orderly Room, the explanation being taken orally and a brief note of the proceedings being entered in the Minor Punishments Register.

When to take effect.

135. Punishments, except by black marks, should, as a rule, take effect from the date of receipt of ~~the~~ the order by the party affected, unless the order itself states from what date effect is to be given to the punishment.

Black marks system.

136. The following rules regulate the system of punishment by black marks: -

(1) An offence shall not be punished by the award both of a specific punishment and of a black mark, except when the specific punishment is suspension or fine, in which case the officer ordering the punishment may also,

at his discretion, award a black mark.

(2) One black mark may also be awarded in lieu of any other punishment.

(3) Not more than one black mark shall be awarded for any one offence.

(4) Three black marks shall entail reduction of grade or rank or deprivation of increment, whenever such reduction or deprivation is possible, and the black marks shall be cancelled thereby. When no reduction or deprivation is possible, the three black marks will stand, a warning that three more will entail dismissal being given. When deprivation of increment is entailed, the order shall state the period for which the deprivation shall have effect.

(5) Unless the offender is specially exempted by the Inspector General, six black marks shall entail dismissal.

(6) Uninterrupted good conduct for a period of six months, spent on duty, shall cancel, one black mark and each successive period of six months' uninterrupted good conduct shall cancel one black mark. Uninterrupted good conduct for one year shall cancel all black marks.

A reduction in grade or deprivation of increment shall cancel all black marks outstanding even though the reduction or deprivation may not be under the black mark rules. Such a punishment will not carry a black mark itself.

(7) Black marks, whether awarded alone or in addition to other punishments, shall take effect from the date of the offence unless otherwise stated.

(8) The existence of one or more black marks against a man shall bar promotion, but not leave or increments of pay to constables.

(9) When a black mark is awarded, the order and the copy thereof furnished to the delinquent shall state the number of black marks outstanding against such delinquent, and a warning shall be added, when recording two black marks, that the next

at his discretion, award a black mark.

(2)

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will entail reduction or deprivation of increment and, when recording three or five black marks, that three or one more, as the case may be, will entail dismissal.

(10). The above rules must be strictly enforced, provided that in any case in which the officer awarding the black marks considers that the application of the rules will result in hardship to the offender, he shall refer the case for orders.

(11) A black mark should not be awarded on every occasion upon which it may be necessary to warn or reprimand an officer. It is of itself a definite punishment carrying, as it does, a liability to a penalty.

(12) The punishment Rolls should be carefully checked in the headquarter office with reference to the outstanding black marks and any error therein should be brought to notice by the Headquarter Inspector in order that necessary corrections may be made in the punishment awarded.

137. The Black mark system is not applicable to Inspectors and Sub Inspectors.

Warning and reprimand.

138. A reprimand should be awarded only for an offence which reflects on the character or efficiency of the officer or his suitability for the Department.

An officer who receives three reprimands within 12 months shall be reported to the Deputy Commissioner or Inspector General as the case may be for orders as to his retention in the service of further punishment, the record regarding all the reprimands being sent to such officer.

Absence without leave.

139. (1) Absence without leave up to twenty days may be met by the infliction of any punishment, including a fine amounting to the pay of the days of absence called for by the circumstances. Recourse may be had to prosecution under the Police Regulation in aggravated cases. Men repeatedly absent without leave will be liable to dismissal, as confirmed absentees.

Desertion. (2) Absence without leave for twenty one days completes the offence of desertion, when the individuals name should invariably be struck off from the date of absence.

Reinstatement of Deserters.

(3) When men who have been struck off as "deserters" (for 21 days' absence without leave) return and apply for re-instatement their cases should be carefully enquired into and the real reason for their absence ascertained. A minute should then be recorded by the Superintendent or the Assistant Superintendent if he considers the reason for absence unsatisfactory, confirming the order of dismissal for desertion; but if, on the other hand, ill health family bereavement or other reasons of a rare nature have really prevented the return of the absentee, his case may be sent up to the Inspector General through the Deputy Commissioner, with a recommendation for re-instatement.

Fines.

140. Except for absence without leave, fines shall not be inflicted as a punishment.

Suspension.

141. (1) Suspension may be inflected as a specific punishment, but is a form of punishment to be avoided and used only in special circumstances and the period should in no case exceed a month.

(2) Suspension shall take effect from the date of receipt of order by the officer affected, unless he is an absentee, in which case it will take effect from the date of absence.

(3) A Police Officer under suspension and ordered to appear for personal hearing, may be ordered to be struck off as a deserter if he does not appear within 21 days of the receipt of the order.

(4) An officer under suspension should ordinarily be allowed to leave the station, but before leaving, he should be required to leave his address with the Inspector or the officer holding an enquiry into his conduct. He must also obey all orders to attend any enquiry into his conduct and if he fails to do so, the enquiry may be held in his absence.

(5) A Jamedar, Duffedar, Naik or Constable when placed under suspension shall deliver his kit and cannot be

immediate superior.

Procedure.

142. In all cases in which dismissal, removal or reductio of any officer is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial or when theofficer concerned has absconded with the accusation hanging over him, be proceded by a properly recorded departmental enquiry. At such enquiry a definite charge in writing shall be framed in respect of each offence and explained to the offender and any evidence he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing. Each of the charges framed shall be discussed and a finding recorded thereon.

Note - (i) The personal hearing under this rule shall be given by a superior officer, except in cases of reduction of daffedars, Naiks and constables when it may be given by an Inspector.

(ii) The distinction between "removal" and "dismissal" is as follows: -

Removal or discharge from office arises from such a cause as unfitness for duty and does not entail further consequence. It is no bar to reappointment to another office for which the officer may be fit or to future reemployment. The effect of dismissal is to preclude re-employment.

Documents to accompany punishment rolls.

143. When the punishment recommend is such as may be passed only by an officer superior to the Superintendent, as dismissal in the case of an Inspector, the Superintendent shall make the enquiry and send a carefully prepared minute composed as indicated in rule 144 below to the authority competent to deal with the case with his recommendation. A statement of the service of the officer concerned, showing the appointment held by him with dates, copies of his defaulter and Confidential sheets and a list of the Good Service Entries and Rewards earned by him should also accompany.

Recording of mintures.

144. A minute shall be recorded when awarding a punishment which is appealable. It will be recorded in the following parts: - (i) Charge, in brief,

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(ii) facts and evidence, (ii) defence and defence evidence, (iv) extent

be

Entry in Defaulter sheets.

146. All punishments awardable to Inspectors, Sub Inspectors and Jamedars shall be entered in their Defaulter Sheets; in the case of officers ~~of officers~~ of lower rank, punishments by punishment drill, extra guard and fatigue duty and warnings shall not be entered in these sheets.

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of increments ~~Defaulter sheets.~~ matter of course but only when the period of service which has earned it has been free from punishment. Before granting or recommending the grant of an increment, the Superintendent should scrutinize the record of the officer's service and decide whether or not an increment may be postponed and state the duration of the period of such postponement.

An increment may be stopped (i) for the general unsatisfactoriness of an officer's work and conduct, or (ii) as a definite punishment. In the former case no explanation need be taken. In the second case an explanation should be called for and a minute recorded.

Increments may be withdrawn, or postponed as a specific punishment, for a ~~xxx~~ stated period which should not in any case exceed two years. In case of postponement of increments, it should be stated whether the order is to affect future increments as well as the one postponed or only the latter.

Chapter XIII.

A p p e a l s.

Under Clause 2 of Section 87 of the Police Regulation, V of 1908, an appeal shall lie to the Deputy Commissioner from all orders of fine suspension, reduction or dismissal passed by a District Superintendent. From all orders of the Deputy Commissioner, an appeal shall lie to the Inspector General. In the case of all officers above the rank of constable, a further appeal shall lie to Government.

Time limit for appeals.

152. Appeals against dismissal, reduction or suspension must be presented within two months from the date of receipt of the order and against other

peals

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Unnecessary appealing.

153. Police officers are warned that unnecessary appealing against the decision of a superior officer will be considered as a mark of insubordination particularly when the punishment awarded is only a black mark or a petty fine under eight annas.

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of punishment, (2) a copy of the minute recorded by the officer inflicting the punishment, (3) a copy of the defaulter sheet and further appeals, by copies of the former appellate orders also; and in the case of men still in the force, they must be forwarded through the proper official channel.

of appeals

154A. When an appeal does not lie or has been made liable to summary rejection, a recommendation of the case which shall not be made unless there is clear reason to suspect a miscarriage of justice.

B. The record of an order appealed against need not be forwarded in the first instance; the

164 87

the appellate authority may be justified in rejecting an appeal summarily on the perusal of the appeal petition. If further consideration appears necessary the record may be called for and it will be open to the subordinate authority to offer his remarks on the case.

C. When an admissible appeal is sent to Government, all the evidence - documentary and oral - which forms part of the record of enquiry should be sent with the appeal and the remarks of the forwarding officer on the points raised in the appeal.

Review of return of punishments.

155. (1) Superintendents or the Assistant Superintendents shall include in their monthly force returns all punishments inflicted on their subordinates. In reviewing the returns, the Inspector General may call for and examine the papers in any case of punishment where an officer appears tohave been improperly dealt with.

(2) In any case in which he considers the punishment inflicted to be either excessive or uncalled for, the Inspector General may refer the case to the appellate authority, or may himself treat it as a case of appeal.

(3) Such appellate authority shall thereupon take cognizance of the reference as if it were an appeal and may, after making due enquiry, confirm, reduce or cancel punishment inflicted.

CHAPTER XI.

PUNISHMENTS.

Statutory provisions

Under Section 8 of the Police Regulation, V of 1908, the dismissal of Inspectors of all grades shall vest in Government. Under Section 11, a Police Officer shall not, by reason of his being suspended from office, cease to be a Police Officer. Section 26 enumerates the various punishments awardable by controlling officers departmentally for neglect of duty, etc., and Section 27 lays down the procedure to be observed in awarding punishments.

Powers of Officers.

133. ~~(Vide statement)~~ The power of inflicting punishments on subordinate officers shall rest in the authorities mentioned in the Schedule appended to this chapter

To be inflicted only in deliberate cases.

134. Discipline shall be maintained by patient and continuous instruction combined with a firm, vigorous and sustained control. Controlling officers shall endeavour to check neglect or misconduct in their subordinates which appear to be due to ignorance or inattention and not to wilful disobedience, by clear instruction and careful explanation. They shall, as far as possible, avoid the constant infliction of minor punishments and in all cases in which they inflict punishment pass orders after full consideration of the facts and circumstances of the case and of the character and position of the officer punished.

Explanation to be obtained.

135. No punishment should be awarded upon any Police Officer without giving him an opportunity to explain his conduct ~~and the explanation shall form part of the record. The entire records or authenticated copies of the same shall be furnished to the officer to prepare his explanation.~~ in writing.

Punishments

133. The following table shows the punishments which may be inflicted and the lowest authority by which they may be imposed.

(Copy the Table here omitting the appellate authority)

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2. Administrative establishment.

Officers punished.	Punishment.	Authority	Appellate Authority
Manager Store-keeper in Chief Office.	Dismissal	I. G. P.	Government.
	Reduction, Suspension, Withholding of increment or promotion, reprimand and warning.	Head-quarter Assistant to I. G. P.	I. G. P.
Managers of District Superintendents' Office.	Dismissal, Reduction, Suspension, Withholding of increment or promotion, reprimand and warning.	I. G. P. D. S. P.	Government. D. C.
Clerks.	Dismissal (reduction etc.)	D. S. P.	D. C.

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Schedule to Chapter XI

Statement showing the punishments which may be imposed on subordinate officers or the department and the lowest authority who can impose the punishment and the authority to whom appeal lies.

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APPENDIX

Punishment of subordinate officers.

(1) Executive Officers.

Officers punished.	Punishment.	Authority.	Appellate Authority.
Inspector.	Dismissal	Government.	-
	Reduction	I. G. P.	Government.
	Suspension	D. C.	I. G. P.
	Reprimand & warning	D. S. P.	D. C.
Sub Inspector	Dismissal	D. C.	I. G. P.
	Reduction Suspension Reprimand & Warning	D. S. P.	D. C.
Subedar	Dismissal Reduction Suspension.	I. G. P.	Government.
	With-holding of increment, reprimand and forfeiture of leave.	A. S. P. (P.R.P.)	I. G. P.
Jamedar	Dismissal. Reduction Suspension.	D. S. P.	D. C.
	Reprimand Warning & forfeiture of leave.	A.S.P. (In the case of P.R.P.)	I. G. P.
Daffedar.	Dismissal Reduction Suspension Forfeiture of leave Blackmark.	D. S. P.	D. C.
Naik (P.R.P.)	Dismissal. Reduction. Suspension Forfeiture of leave Blackmark.	A.S.P.(P.R.P)	I. G. P.
Constable.	Dismissal, Suspension, reduction, forfeiture of leave, deprivation of increment and blackmark.	D. S. P.	D. C.
	Punishment drill, extra guard duty, fatigue duty & warning	A.S.P.	D.S.P.
In the case of Constables P.R.P.	As regards all the above ~~etc~~ items	A.S.P.(P.R.P)	I.G.P.

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Removal or discharge from office arises from such a cause as unfitness for duty and does not entail further consequence. It is no bar to re-appointment to another office for which the officer may be fit or to future re-employment. The effect of dismissal is to preclude re-employment.

Documents to accompany punishment rolls.

143. (1) Punishment Rolls against Inspectors recommending their dismissal or reduction will be prepared in Form 27.

(2) The following records will be attached:-

(a) A list showing all the appointments held by him since his enlistment with dates,

(b) A copy of the defaulter sheet,

(c) A list of good service entries and rewards earned by him, and

(d) An extract from the Superintendent's confidential register.

(3) A covering letter giving the Superintendent's general remarks on the case and his recommendation will be submitted. In cases of dismissal, it should be stated whether the provisions of the preceding rule have been observed.

Recording of minutes

144. (1) Minutes shall be recorded when suspending as a specific punishment and severely reprimanding Inspectors and when awarding any punishment (including severe reprimand) except forfeiture of leave, punishment drill, extra guard duty and fatigue duty, to officers below the rank of Inspector.

(2) They will be written in the following parts:-

(a) Charge in brief,

(b) Facts and evidence,

(c) Defence and defence evidence,

(d) Finding, and

(e) Order.

(3). Detailed minutes are required in cases of dismissal, reduction and suspension. When a lesser punishment is awarded, the minute will be as brief as is consistent with clearness.

Copies when furnished

145. (1) An Inspector punished by dismissal or reduction is entitled to a copy of Columns 1 to 3 of Form 27 and the order of the authority punishing him.

(2) A copy of the minute shall at once be furnished to the

officer

Before the sentence beginning
Each of the charge . . . . . .

Read .1) Charges shall be framed in writing and a copy of them delivered to him together with a list of documents by which each Charge is to be sustained. 2) The witness against him shall be examined in his presence and he may be allowed to cross-examine them. 3) His explanation shall be taken and his witnesses examined. - The explanation should either be a written one or taken down in writing by the officer holding the enquiry.

Before the sentence beginning
Each of the charge - - - - - -

Read 1) Charges shall be framed in writing and a copy of them delivered to him together with a list of documents by which the Charge is to be sustained. 2) The witness against him shall be examined in his presence and he may be allowed to cross-examine them. 3) His explanation shall be taken and his witnesses examined. The explanation should either be a written one or taken down in writing by the officer holding the enquiry.

(3) The Deputy Commissioner may suspend an Inspector for a grave fault, sending immediate notice with a short statement of the reasons to the Inspector General. When prompt measures are called for, the suspension will take effect from the date of the order.

(4) A Police Officer under suspension and ordered to appear for personal hearing, may be ordered to be struck off as a deserter if he does not appear within 21 days of the receipt of the order.

(5) An Officer under suspension should ordinarily be allowed to leave the station, but before leaving, he should ~~appear~~ be required to leave his address with the Inspector or the officer holding an enquiry into his conduct. He must also obey all orders to attend any enquiry into his conduct and if he fails to do so, the enquiry may be held in his absence.

(6) A Jamedar, Duffedar, Naik or Constable when placed under suspension shall deliver his kit and sannad to his immediate superior.

~~142.~~ The following procedure shall be complied with before dismissing an officer:-

Procedure

142. In all cases in which dismissal, removal or reduction of any officer is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial or when the officer concerned has absconded with the accusation hanging over him, be preceded by a properly recorded departmental enquiry. ~~At such enquiry a definite~~ charge in ~~writing shall be framed in respect of it~~ and ~~any evidence he may adduce in his defence shall be recorded in his presence and his defence shall be taken down~~ in writing. Each of the charges framed shall be discussed and a finding recorded thereon.

Note.- (i) The personal hearing under this ~~order~~ Rule shall be given by a superior officer, except in ~~reduction~~ cases of removal of Duffedars, Naiks and constables when it may be given by an Inspector.

(ii) The distinction between 'removal' and 'dismissal' is as follows:

Removal

Tabulated Statement

Rules proposed by the Inspector General of Police	Existing rule corresponding to it in the Police Manual.	Remarks.
135 Rule 1. No punishment shall be awarded to any Police Officer without giving him an opportunity to explain his conduct in writing.	Rule 135. No punishment shall be awarded upon any Police Officer without giving him an opportunity to explain his conduct and the explanation shall form part of the record. The entire records or authenticated copies of the same shall be furnished to the officer to prepare his explanation.	The existing rule may be retained.
135(a) Rule 1 (a). An exception to this rule will be made in the case of the Provincial Reserve Police but only in the case of minor offences for which such punishments as extra drill, extra guard duty, extra fatigues or warnings. In such instances the offences shall be dealt with summarily by the Assistant Superintendent in Orderly Room, the explanation being taken orally and a brief note of the proceedings being entered in the Minor Punishments Register.		New Rule, may be accepted.
145 Rule 2. A minute shall be recorded when awarding a punishment which is appealable. It will be recording in the following parts:- (i) charge in brief (ii) facts and evidence, (iii) defence and defence evidence, (iv) finding and (v) order. Minutes should be as brief as is consistent with clearness.	Rule 146(1) Minutes shall be recorded when suspending as a specific punishment and severely reprimanding Inspectors and when awarding any punishment (including severe reprimand) except forfeiture of leave, punishment drill, extra guard duty and fatigue duty, to officers below the rank of Inspector. (2) They will be written in the following parts:- (a) Charge in brief, (b) Facts & Evidence, (c) Defence and Defence evidence. (d) Finding and (e) Order (f) Detailed minutes are	The existing rule which is comprehensive may be retained

140 177 3 Rule 3 (i). Absence without leave for 21 days completes the offence of desertion, whereafter the officer's name shall invariably be struck off from the date of absence.	required in cases of dismissal, reduction and suspension. When a lesser punishment is awarded the minute will be as brief as is consistent with clearness.	
	Rule 140	No change.
141 Rule 3(ii) An application for reinstatement from an officer struck off as a deserter will not be entertained unless and until he has first attended in person and given his explanation. The Superintendent will then record a formal minute either confirming the dismissal or reinstating him with or without punishment or making a recommendation to the authority competent to dismiss the offender.	3(ii) Rule 141. When men who have been struck off as "deserters" (for 21 days' absence without leave) return and apply for re-instatement, their cases should be carefully enquired into and the real reason for their absence ascertained. A minute should then be recorded by the Superintendent or the Assistant Superintendent if he considers the reason for absence unsatisfactory, confirming the order of dismissal for desertion; but if, on the other hand, ill health, family bereavement or other reasons of a rare nature have really prevented the return of the absentee, his case may be sent up to the Inspector General, through the Deputy Commissioner, with a recommendation for reinstatement.	The existing Rule be retained.
139 4 Rule 4. Absence without leave up to 20 days may be met with the infliction of any punishment, including a fine amounting to the pay of the period of absence, called for by the circumstances. Recourse may be had to prosecution under the Police Regulation in aggravated cases. Men repeatedly absent without leave will be liable to dismissal as confirmed absentees.	Rule 139 ...	No change

5 (140).

Rule 5. Except for absence without leave fines shall not be inflicted as a punishment.

New Rule. It may not be expedient to limit the infliction of fine to a particular offence like this. There may arise other cases where the fine may be a reasonable punishment. May be omitted.

14(1)(3) 6

Rule 6. Supension may be inflicted as a specific punishment, but is a form of punishment to be avoided and used only in special circumstances and the period should in no case exceed a month.

New Rule. The limitation for one month does not appear to be practicable. An Officer may be suspended pending enquiry which lasts for a number of months. In such cases the period of suspension was necessarily have to exceed a month. May be omitted.

The D.C.P's proposal may be accepted.

14(3)(ii) 7

Rule 7 (1) Suspension shall take effect from the date of receipt of order by the officer effected, unless he is an absentee, in which case it will take effect from the date of absence.

New Rule, may be accepted.

(8) Rule 7 (ii) In cases of grave misconduct, the Superintendent may suspend an Inspector or any officer of lower rank pending enquiry into the charges against him.

142

New Rule. According to Section 26(3) the Deputy Commissioner and the District Superintendent of Police are empowered to suspend an Inspector pending enquiry. The District Superintendent of Police has no such power. Consequent the proposed rule may be ultra vires of the Section. The Deputy Commissioner and the District Superintendent of Police are both empowered under the Section to suspend any officer below the rank of an Inspector and as such no special rule is necessary. The proposed rule may be omitted.

8 Rule 7(iii). Superintendents are empowered to release officers from suspension ordered by them under the preceding clause.

New Rule; may be omitted for reasons stated above.

147(4)

Rule 7 (4). A Police Officer under suspension and ordered to appear for personal hearing, may be ordered to be struck off as a deserter if he does not appear within 21 days of the receipt of the order.

New Rule, may be accepted.

147(5)

Rule 7 (v) An Officer under suspension should ordinarily be allowed to leave the station, provided that before leaving he gives an address at which he can be found.

7.(iii).

Rule 143. An Officer under suspension should ordinarily be allowed to leave the station, but before leaving, he should be required to leave his address with the Inspector or the Officer holding an enquiry into his conduct. He must also obey all orders to attend any enquiry into hiscdnduct and if he fails to do se, the enquiry may be held in his absence.

Present rule may be retained.

7.(iv) 147(6)

Rule 7(vi) A Jamadar, Duffedar, Naik or Constable when placed under suspension shall deliver his kit and sanad to his immediate superior.

New Rule, may be accepted.

142

143 Rule 8. (1) In all cases in which dismissal, removal or reduction of any officer is ordered, the order shall, except when it is based on facts or conclusions established at a judicial trial or when the officer concerned has absconded with the accusation hanging over him, be preceded by a properly recorded departmental enquiry. At such enquiry a definite charge in writing shall be framed in respect of each offence and explained to the offender, the evidence in support of ~~xhixk~~ it and any evidence he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing. Each of the charges framed shall be discussed and a finding recorded thereon.

8.

Rule 144. The following procedure shall be complied with before dismissing an officer:-

(1) Charges shall be framed in writing and a copy of the delivered to him together with a list of documents by which each charge is to be sustained.

(2) The witnesses against him shall be examined in his presence and he may be allowed to cross examine them.

(3) His explanation shall be taken and his witnesses examined. The explanation should either be a written one or taken down in writing by the officer holding the enquiry.

Add Sub r (1 to 3)

The existing rule may be retained The first and the Third sentences in the Inspector General of Police's rules may be added to the existing rule.

143

Rule 8 (Note i). The personal hearing under this order shall be given by a superior officer except in reduction of Daffedars, Naiks and Constables when it may be given by an Inspector.

143

144 Rule 8 (Note ii). The distinction between 'removal' and 'dismissal' is as follows:- Removal or discharge from office arises from such a cause as unfitness for duty and does not entail further consequence. It is no bar to re-appointment to another office for which the officer may be fit or to future re-employment. The effect of dismisal is to reclude re-employment.

9

145-146 Rule 9. When the punishment recommended is such as may be passed only by an officer superior to the Superintendent as dismissal in the case of an Sub Inspector and all punishments except warning in the case of an Inspector, the Superintendent shall make the enquiry and send a carefully prepared minute composed as indicated in order above to the authority competent to deal with the case with his recommendation. A statement of the service of the officer concerned showing the eppointment held by him with dates, copies of his Defaulter and Confidential sheets and a list of the Good Service Entries and Rewards earned by him.

Rule 145

146

135 Rule 10. A reprimand should be awarded only for an offence which reflects on the character or efficiency of the officer or his suitability for the department.

xx~~Rule~~xiix An officer who received three reprimands within twelve months shall be reported to the Deputy Commissioner or Inspector General as the case may be for orders as to his retention in the service or further punishment, the record regarding all the reprimands being sent to such officer.

New Rule may be accepted.

New Rule, Thisx corresponds to Rule 238 of General Circulars and Standing Orders. May be accepted.

Present Rule may be retained.

New Rule, may be accepted.

117

Rule 11. All punishments awardable to Inspectors, Sub Inspectors and Jamadars, shall be entered in their Defaulter Sheets; in the case of officers of lower rank, punishment by punishment drills, extra guard and fatigue duty and warnings shall not be entered in these sheets.

New Rule , may be accepted.

Rule 12. An increment shall not be granted as a matter of course but only when the period of service which has earned it has been free from punishment. Before granting or recommending the grant of an increment the Superintendent should scrutinize the record of the officer's service and decide whether or not an increment may be postponed and state the duration of the period of such postponement.

An increment may be stopped (i) for the general unsatisfactoriness of an officer's work and conduct, or (ii) as a definite punishment. In the former case no explanation need be taken. In the second case an explanation should be called for and a minute recorded.

Increments may be withdrawn, or postponed as a specific punishment, for a stated period which should not in any case exceed two years. In case of postponement of increments it should be stated whether the order is to affect future increments as well as the one postponed or only the latter.

New Rule, aplifies the principle Article 80 of the Mysore Service Regulation. May be accepted.

Rule 13. The Black Mark system is applicable only to Duffedars and Constables of the District Police and to Naiks and Constables of the Provincial Reserve Police.

New Rule, this is only the paraphrase of Section 26 (i) Proviso, may be omitted.

Rule ~~14~~ 137 13. The following rules regulate the system of punishment by Black Marks:-		
Rule ~~14~~ 13(1) (1). An offence shall not be punished by the award both of a specific punishment and of a black mark, except when the specific punishment is suspension or fine, in which case the officer ordering the punishment may also, at his discretion, award a black mark.	Rule 137 The following rules regulate the system of punishment by black marks:- (1) Suspension as a specific punishment and fine carry a black mark but other punishments do not.	The Inspector General of Police's Rule may be accepted.
Rule ~~14~~ 13(2). One Black Mark may also be awarded in lieu of other punishment.	Rule 137(2) One black mark may also be awarded in lieu of any other punishment.	No change.
Rule ~~14~~ 13 (3) Not more than one black mark shall be awarded for any one offence.	Rule 137 (3)	No change
Rule ~~14~~ 13 (4) Three black marks shall entail reduction of grade or rank or deprivation of increment, whenever such reduction or deprivation is possible, and the black marks shall be cancelled thereby. When no reduction or deprivation is possible, the three black marks will stand, a warning that three more will entail dismissal being given. When deprivation of increment is entailed, the order shall state the period for which the deprivation shall have effect.	Rule 137(4)	Inspector General of Police's Rule may be accepted.
Rule ~~14~~ 13(5) Unless the offender is specially exempted by the Inspector General of Police, six black marks shall entail dismissal.	Rule 137(5)	No change.
Rule ~~14~~ 13(6) Uninterrupted good conduct for a period of six months, spent on duty, shall cancel one black mark and each successive period of six months' uninterrupted good conduct shall cancel one black mark. Uninterrupted good conduct for one year shall~~x~~ cancel all black marks.	Rule 137(6). Uninterrupted good conduct for a period of six months spent on duty shall cancel one black mark and each successive period of six months' uninterrupted good conduct shall cancel one black mark. Uninterrupted good conduct for two years shall cancel all black marks..	The change is from two years to one year. The Inspector General of Police's Rule may be accepted.
A reduction in grade or deprivation of increment shall cancel all black marks outstanding, even though the reduction or deprivation may not be under the black mark rules. Such a punishment will not carry a black mark itself.	A reduction in grade shall cancel all black marks outstanding even though the reduction may not be under the black mark rules. Such a punishment will not carry a mark itself.	

~~14~~ 13(7). Black Marks, whether awarded in addition to other punishments, shall effect from the date of the effence, unless otherwise stated.	Rule 137(7)	No change
Rule ~~14~~ 13(8). The existence of one or more black marks against a man shall bar promotion, but not leave or increments of pay to constables.	Rule 137(8). The existence of one or more black marks against a man shall bar promotion, but not leave.	The Inspector General of Police's Rule may be accepted.
Rule ~~14~~ 13(9). When a black mark is awarded, the order and the copy thereof furnished to the delinquent shall state the number of black marks outstanding against such deliquent, and that the next will entail reduction or deprivation of increment and, when recording three or five black marks, that three or one more, as the case may be, will entail dismissal.	Rule 137(9) a warning shall be a bad when recording two black marks,	The Inspector General of Police's rule may be accepted.
Rule ~~14~~ 13(10). The above rules must be strictly enforced, provided that in any case in which the officer awarding the black marks considers that the application of the rules will result in hardship to the offender, he shall refere the case for orders.	Rule 137(10)	No change.
Rule 14 (11). A black mark should not be awarded on every occasion upon which it may be necessary to warn or reprimand an officer.	13(11) Rule 137(11). A black mark should not be awarded on every occasion upon which it may be necessary to warn or reprimand an officer. It is of itself a definite punishment carrying, as it does, a liability to a penalty.	Present rule may be retained.
Rule 15. A copy of the minute shall at once be furnished to the officer affected in cases of dismissal, removal, reduction and suspension; in other cases of punishment it should be furnished on application made.	14 Rule 147	Present rule may be retained.

Rule 16. Punishments except by Black Mark (vide order 14 above) will take effect from the date of receipt of order by the individual affected, unless and otherwise stated in the order.

Rule 136. No change.

A P P E A L S.

Rule 1. There shall be only one appeal in all cases of punishment except the following to which there shall be none:-

Warning (except in the case of Inspectors), punishment drill, fatigue duty and extra guard duty.

New Rule. This is untra vires of section 27 (2) which runs as follows:-

'From all orders passed by the District Superintendent under sub-section (1) an appeal shall lie to the Deputy Commissioner. From all orders of the Deputy Commissioner, an appeal shall lie to the Inspector General. In the case of all officers above the rank of constables, a further appeal shall lie to Government.'

The rule has therefore to be omitted.

Rule 2. All appeals should be preferred within two months from the date of receipt of the orders or of the minute copy, appealed against; those put in after the expiry of that period shall be liable to summary rejection as being time barred.

Rule 153. Appeals against dismissal, reduction or suspension must be presented within two months from the date of receipt of the order and against other punishments within one month of the same date. Appeals put in after the expiry of these periods will be liable to summary rejection.

The present rule may be retained.

Rule 3. Police Officers are warned against unnecessary appeals and in such cases the appelate authority may enhance the punishment awarded or inflict additional punishment.

Rule 154. Police officers are warned that unnecessary appealing against the decision of a superior officer will be considered as a mark of insubordination, particularly when the punishment awarded is only a black mark or a petty fine under eight annas.

The present rule may be retained.

Rule 4. Appeals should be accompanied by (i) a copy of the minute and a copy of the Defaulter sheet and must be forwardedxxx through the proper channel.

15h A 4

Rule 5. When an appeal does not lie or has been made liable to summary rejection, a recommendation of the case shall not be made unless there is clear reason to suspect a miscarriage of justice.

15h B 5

Rule 6. The record of an order appealed against need not be forwarded in the first instance; the appelate authority may be justified in rejecting an appeal summarily of the perusal of the appeal petition. If further consideration appears necessary the record may be called for and it will be open to the subordinate authority to offer his remarks on the case.

15h C 6

Rule 7. When an admissible appeal is sent to Government, all the evidence - documentary and oral - which forms part of the record of enquiry should be sent with the appeal and the remarks of the forwarding officer on the points raised in the appeal.

Rule 8. An appeal by the Superintendent against an order of the Deputy Commissioner shall lie to the Inspector General who may either pass orders in the matter himself or, if he thinks the matter of sufficient importance, send it for the orders of Government.

Rule 152. Appeals must be accompanied by the (1) order of punishment, (2) A copy of the minute recorded by the officer inflicting the punishment, (3) a copy of the defaulter sheet and further appeals, by copies of the former appellate orders also; and in the case of men still in the force, they must be forwarded through the proper official channel.

Present rule may be retained.

New Rule may be accepted.

New Rule may be accepted.

New Rule may be accepted.

New Rule, It is not clear against what orders of the Deputy Commissioner the Superintendent is allowed to prefer an appeal.. The Deputy Commissioner cannot inflict any punishment on Superintendent. ~~for~~ the Superintendent is allowed to prefer an appeal against other orders ~~of~~ the D.C. in his capacity as head of the Police, it is against ordinary [illegible] conduct and discipli[illegible] The r[illegible] may be

2543
2/10/1946

NOTES

etc., not intended for permanent record.]

Submitted to the Chief Secretary

The Minister for Revenue & Communications desires that the file relating to the "proposal for revising the scales of pay of the Gazetted cadre of the Police Depr" (Council file no 382) may be kindly sent to him for reference herein.

2/10/46

CB

2/10/46

The file is herewith sent.

2/10/46

P.A. to the Mr for Rev & Comms

2/10/46

WD 078—GPB—30,000—25-7-40